

HOUSTON TOWER COMMISSION

To download the full agenda package
visit:

https://www.houstontx.gov/planning/Commissions/commiss_tower.html

Members

Rob Todd, Chair
John R. Melcher
Kerrick Henny
Yulanda Campbell
Linda Smith
Asim Tufail
Bobby De La Rosa

Secretary

Jennifer Ostlind

Agenda

Monday, June 24th,
2024 3:30 p.m.

In-Person Meeting Location: Council
Chamber, City Hall Annex

Submit Written Comments to:
planning.tower@houstontx.gov

Make comments by phone to:
832-393-6624

SPEAKERS GUIDELINES

WELCOME to a meeting of the City's Planning and Development Department. Your input is valued. Board members act according to established standards; see rules or policies for details. Staff is available to help orient you on meeting procedures. For the City's I SPEAK language line, including traducción en español, call 832-393-3000

The public is encouraged to take an active interest in matters that come before the **Tower Commission**.

1. Anyone wishing to speak before the Commission should sign up to speak via phone **832-393-6624** or email **planning.tower@houstontx.gov**, 24 hours in advance preferred.
2. Please note what item you wish to speak on, or if it is for general public comments.
3. All comments submitted in writing or by phone will be read into the record by staff.
4. If the speaker wishes to discuss any subject not otherwise on the agenda, time will be allocated or allotted after all agenda items have been processed and "public comments" are taken.
5. Applicants will be allowed to speak first and are allowed **five** minutes for an opening presentation. The applicant is also permitted a two-minute rebuttal after all speakers have been heard. If there are no speakers other than the applicant, there is no rebuttal period.
6. All other speakers will be permitted two minutes to address the Commission.
7. No speaker is permitted to accumulate speaking time from another person.
8. Time devoted to answering any questions from the Commission is not charged against allotted speaking time. The Commission may extend any speaker's speaking time if it is the Commission's judgment that additional time is needed to sufficiently discuss an item.
9. The Commission reserves the right to limit speakers if it is the Commission's judgment that an issue has been sufficiently discussed and additional speakers are repetitive.
10. The Commission reserves the right to stop speakers who are unruly or abusive.

NOTE: The Tower Commission may only act to approve or disapprove the placement of a tower under Chapter 28, Article XVI, City of Houston Code of Ordinances.

HOUSTON TOWER COMMISSION
AGENDA
Monday, June 24th , 2024 3:30 p.m.

The Houston Tower Commission will conduct this meeting in-person.

To join this Commission meeting, please see the following options:

- Attend in person at City Hall Annex, Council Chamber, City Hall Annex

Please visit https://www.houstontx.gov/planning/Commissions/commiss_tower.html to download the full agenda package.

Call to Order

Secretary's Report

- I. Consideration of the March 25th, 2024 Tower Commission Meeting Minutes
- II. Public hearing and consideration of waiver requests:
 - A. 24-T-0763 8197 2/3 Broadway Street**
28-524(h) & (b) Allow construction of a tower within 1,000' of an existing tower and to allow a tower to be located with a residential test area
 - B. 24-T-0764 8109 2/3 Creekbend Drive**
28-524(g) Allow construction of a tower in a residential setback area
 - C. 23-T-0761 23705 2/3 Fairlake Lane**
28-524(g) Allow construction of a tower in a residential setback area "Fallzone".
- III. Public Comment
- IV. Adjournment

The Tower Commission reserves the right to convene in Executive Session as authorized by the Texas Open Meetings Act, Texas Gov't Code Chapter 551, under any applicable exception thereto, including but not limited to Sec. 551.071, Consultation with Attorney.

TOWER COMMISSION
MONDAY, 25 MARCH 2024
CITY HALL ANNEX, COUNCIL CHAMBER, CITY HALL ANNEX
MICROSOFT [HTTPS://BIT.LY/49BZHMQ](https://bit.ly/49BZHMQ)
PHONE: 936-755-1521 – MEETING ID: 565 512 445#

Call to Order at **3:38 PM** by Rob Todd, Chair

Commissioners	Quorum – Present / Absent / Remote
Rob Todd, Chair	Present
John R. Melcher, Vice Chair	Present Remote
Yulanda Campbell	Present
Bobby De La Rosa	Absent
Linda Smith	Present Remote
Asim Tufail	Present Remote
Jennifer Ostlind, Acting Secretary	Present

Legal Department – Kim Mickelson

Chair’s REPORT – None

Secretary’s REPORT – None

I. CONSIDERATION OF THE FEBRUARY 26TH, 2024 TOWER COMMISSION MEETING MINUTES

Commission action: Approved the February 26th, 2024 Tower Commission Meeting Minutes.

Motion: Melcher

Vote: Unanimous

Second: Cambell

Abstaining: None

II. PUBLIC HEARING AND CONSIDERATION OF WAIVER REQUESTS:
A. 23-T-0761 23705 2/3 FAIRLAKE LANE

Staff recommendation: Defer consideration per 28-524(g), to allow construction of a tower in a residential setback area “Fallzone”.

Commission action: Defer item till May 20, 2024, and continue the public hearing.

Speaker(s): None

Motion: Melcher

Vote: Unanimous

Second: Tufail

Abstaining: None

III. PUBLIC COMMENT – None

IV. ADJOURNMENT

There being no further business before the Commission, Chair Rob Todd adjourned the meeting at **3:43 PM**.

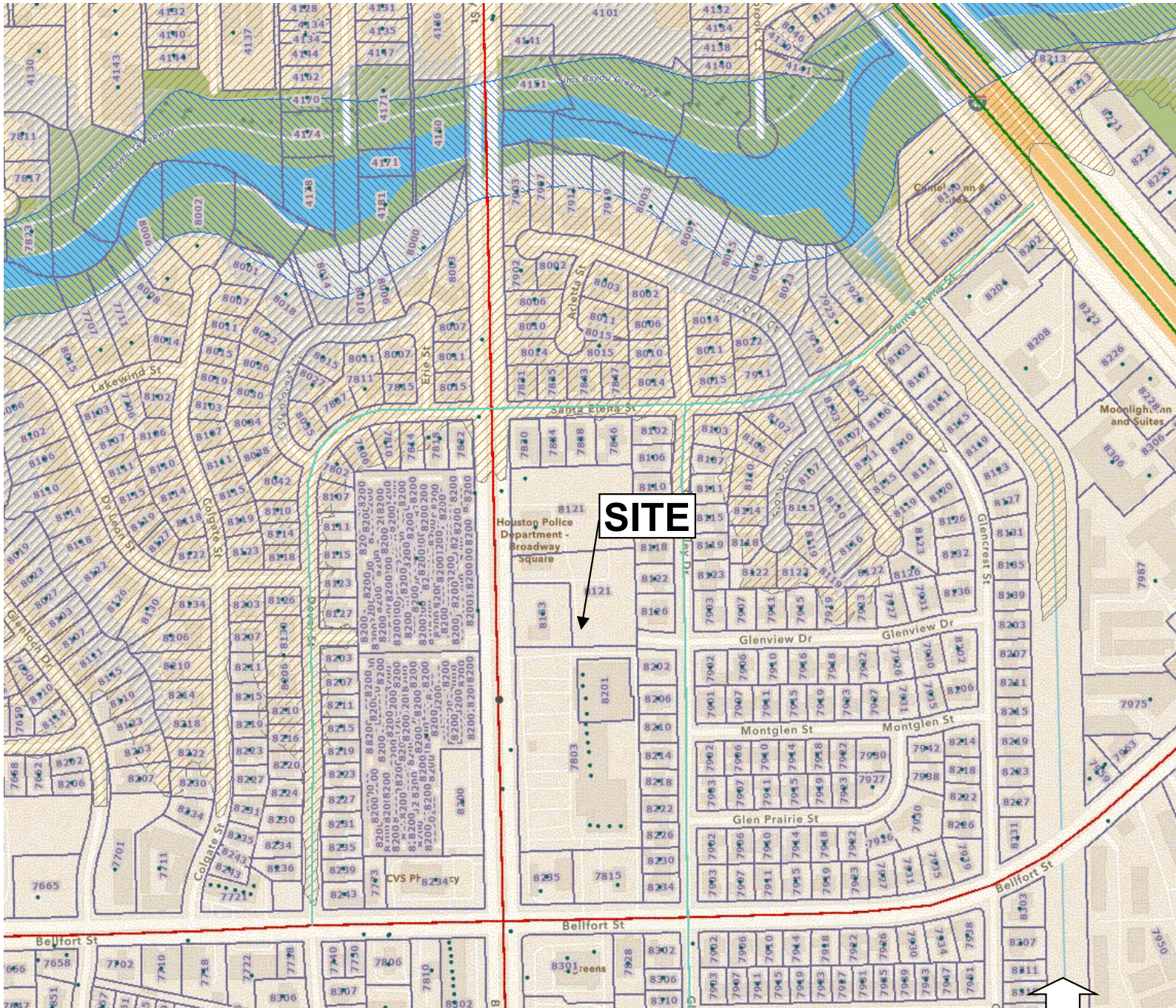
Rob Todd, Chair

Dipti Mathur, Acting Secretary

Houston Tower Commission

Planning and Development Department

Meeting Date: 06/24/2024



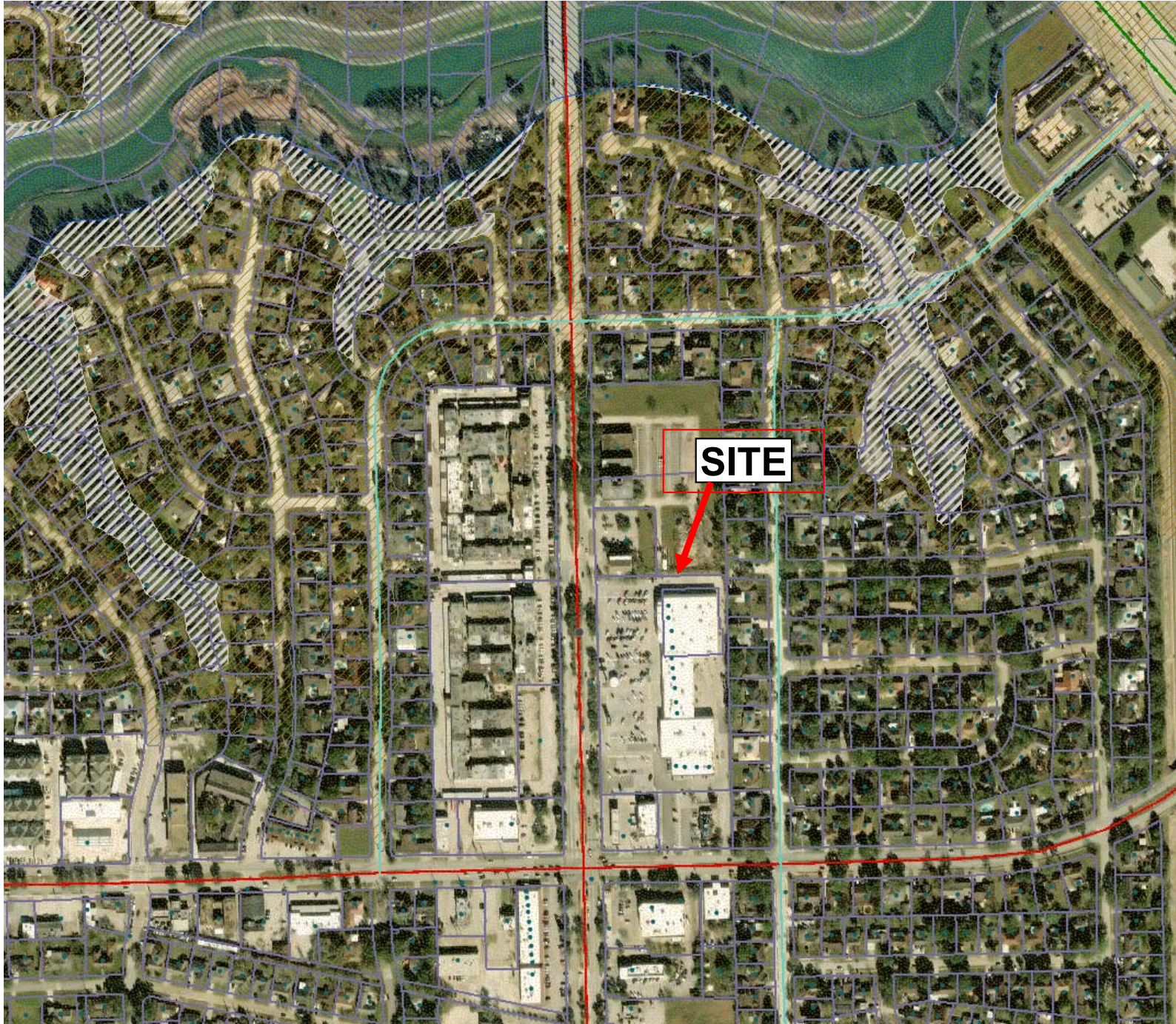
NORTH

Site Location II-A

Houston Tower Commission

Planning and Development Department

Meeting Date:06/24/2024



NORTH

Site Location II-A

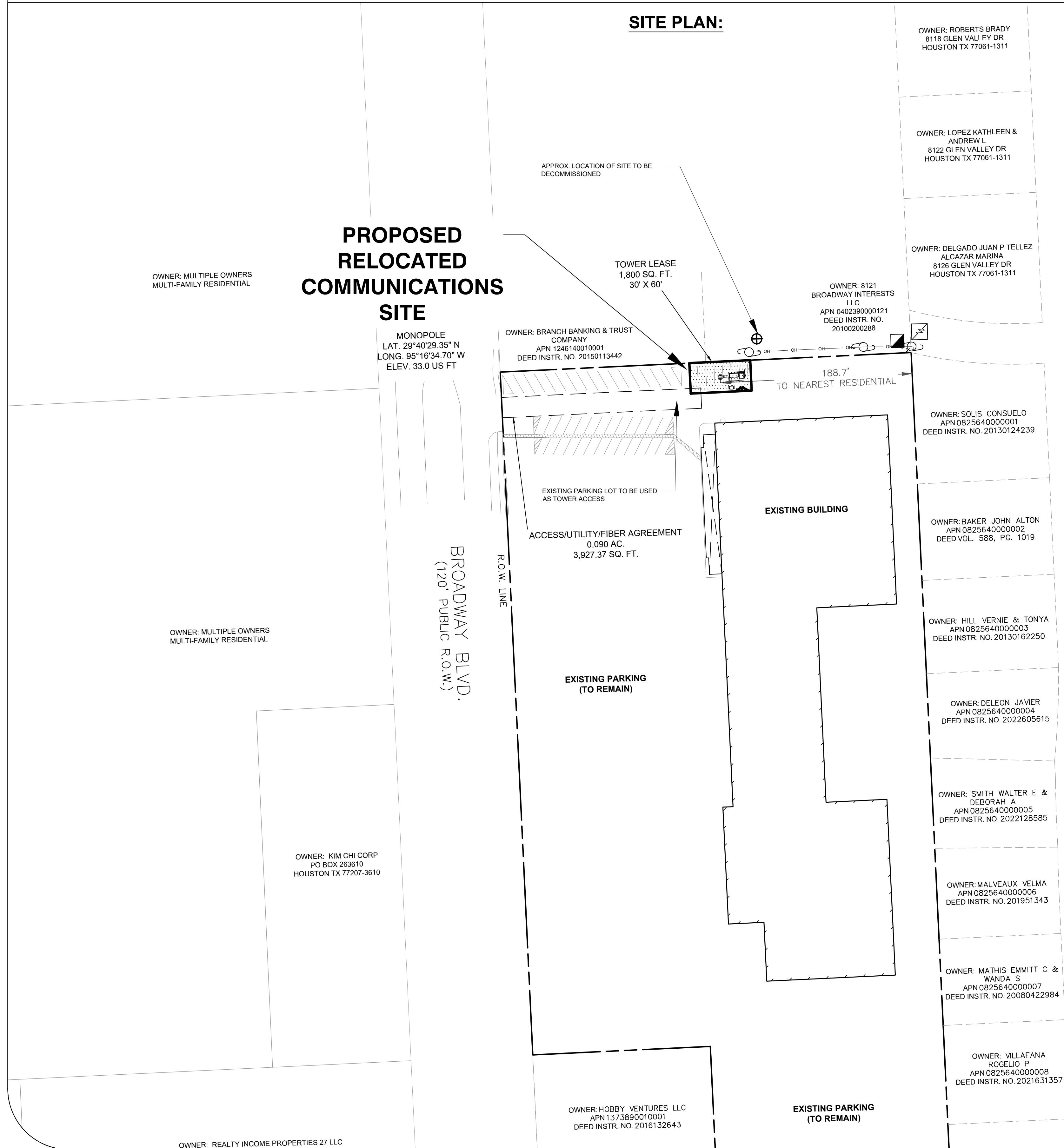
CROWN CASTLE HEAVY TRAFFIC RELOCATION SITE BU#832152

PROJECT INFORMATION & TOWER SITE PLAN

PROJECT INFORMATION:

TOWER OWNER CROWN CASTLE 10801 EXECUTIVE CENTER DRIVE SHANNON BLDG., SUITE 100 LITTLE ROCK, ARKANSAS 72211 501.621.0521	SITE LOCATION LAT. 29°40'29.35" N LONG. 95°16'34.70" W	PERMITTING COUNTY: HARRIS COUNTY JURISDICTION: CITY OF HOUSTON OCCUPANCY: COMMERCIAL ZONING: NA BUILDING CODE: 2012 IBC WATERSHED: ADDICKS RESERVOIR WATERSHED USE: PUBLIC TELECOMMUNICATION FACILITY	ONE-CALL TEXAS CONTRACTOR TO CALL BEFORE DIGGING PHONE: 811 OR 1.800.546.6000
APPLICANT VINCENT GERARD & ASSOCIATES 1715 CAPITAL OF TEXAS HWY SOUTH CONTACT: VINCE HUEBINGER PHONE: 512.326.2693	PROJECT TYPE 100' UNMANNED TELECOMMUNICATION FACILITY, CONSISTING OF SHELTERS EQUIPMENT PLATFORMS, DIRECTIONAL AND GPS ANTENNAS UTILITIES	ADDRESS 8197 1/2 BROADWAY STREET, HOUSTON, TX 77061	LANDOWNER BRIXMOOR HOLDINGS 12 SPE LLC BRIXMOOR PROPERTY GROUP 500 EAST BROADWAY BLVD STE 1130 FORT LAUDERDALE, FL 33394
ELECTRIC PROVIDER CENTERPOINT ENERGY PHONE: 800.752.8036	LEGAL DESCRIPTION JOHN R HARRIS SURVEY, ABSTRACT NO. 27	ZONING N/A	

SITE PLAN:



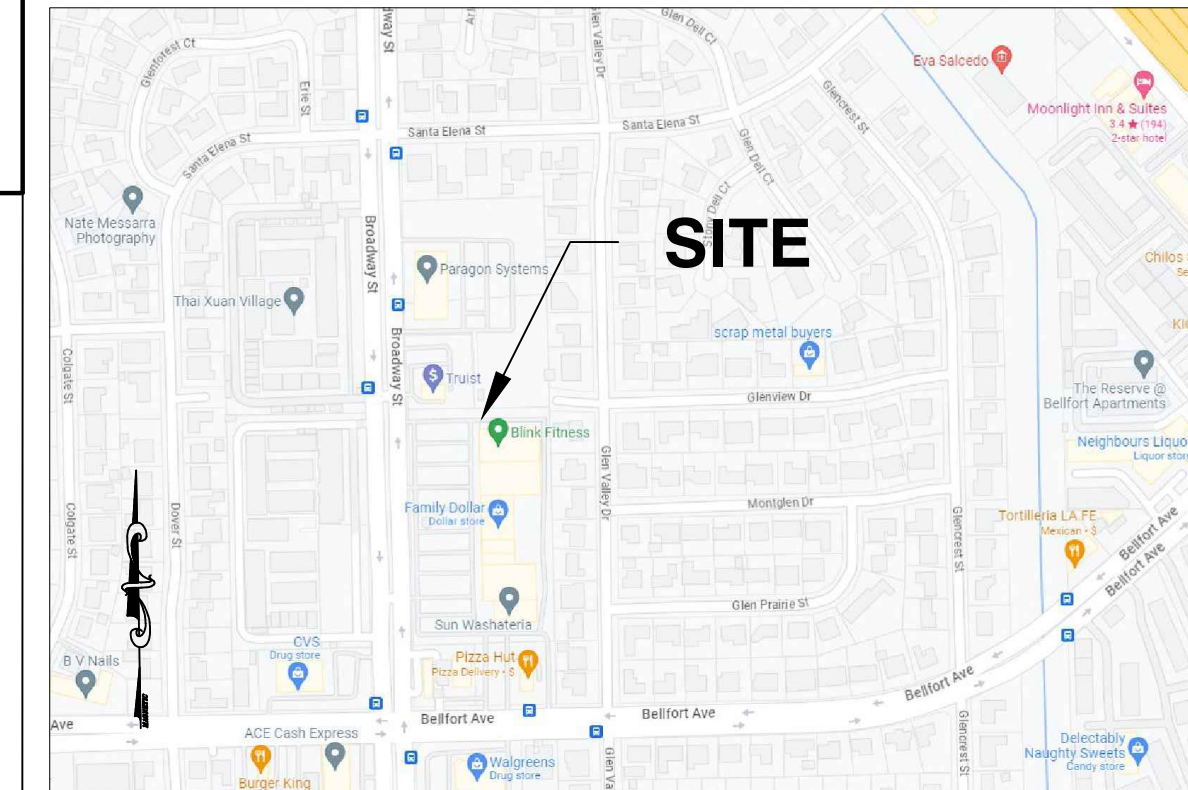
LEGEND

- ACCESS AGREEMENT
- OVERHEAD ELECTRIC
- CHAIN-LINK FENCE
- FIRE HYDRANT
- UTILITY POLE
- PROPERTY LINE

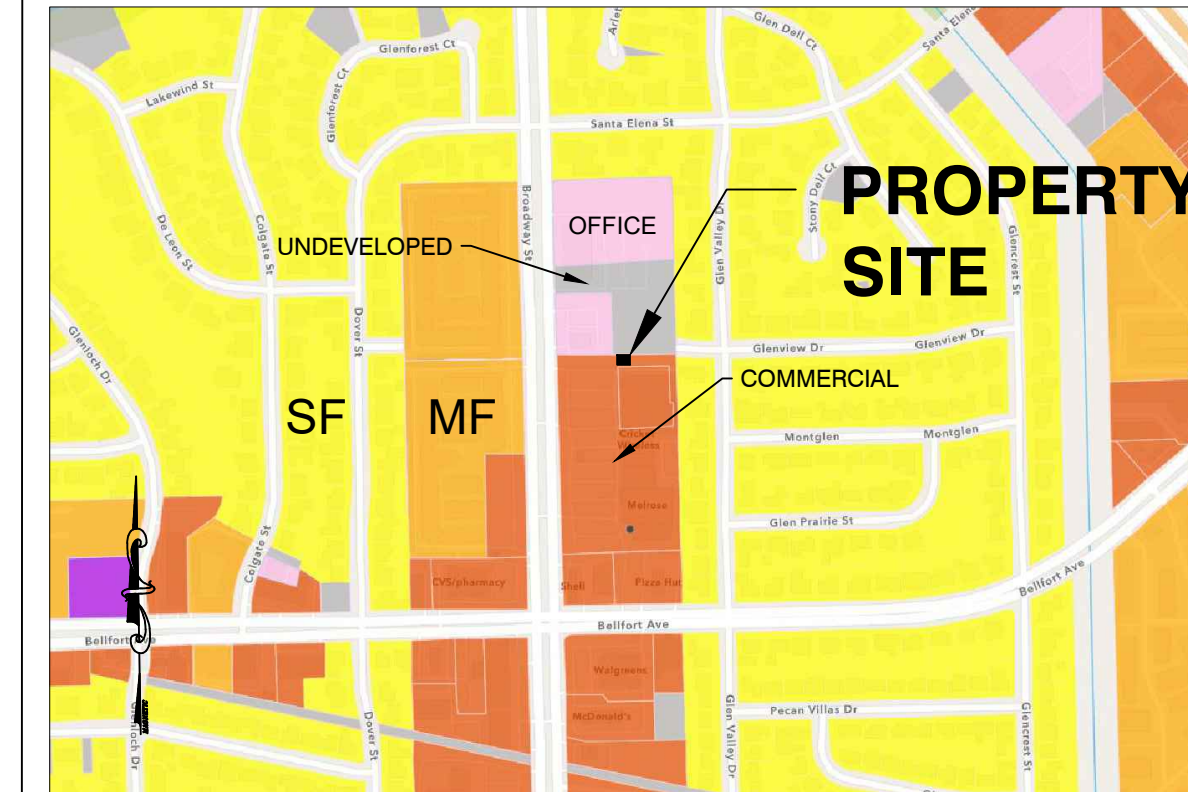
AERIAL MAP:



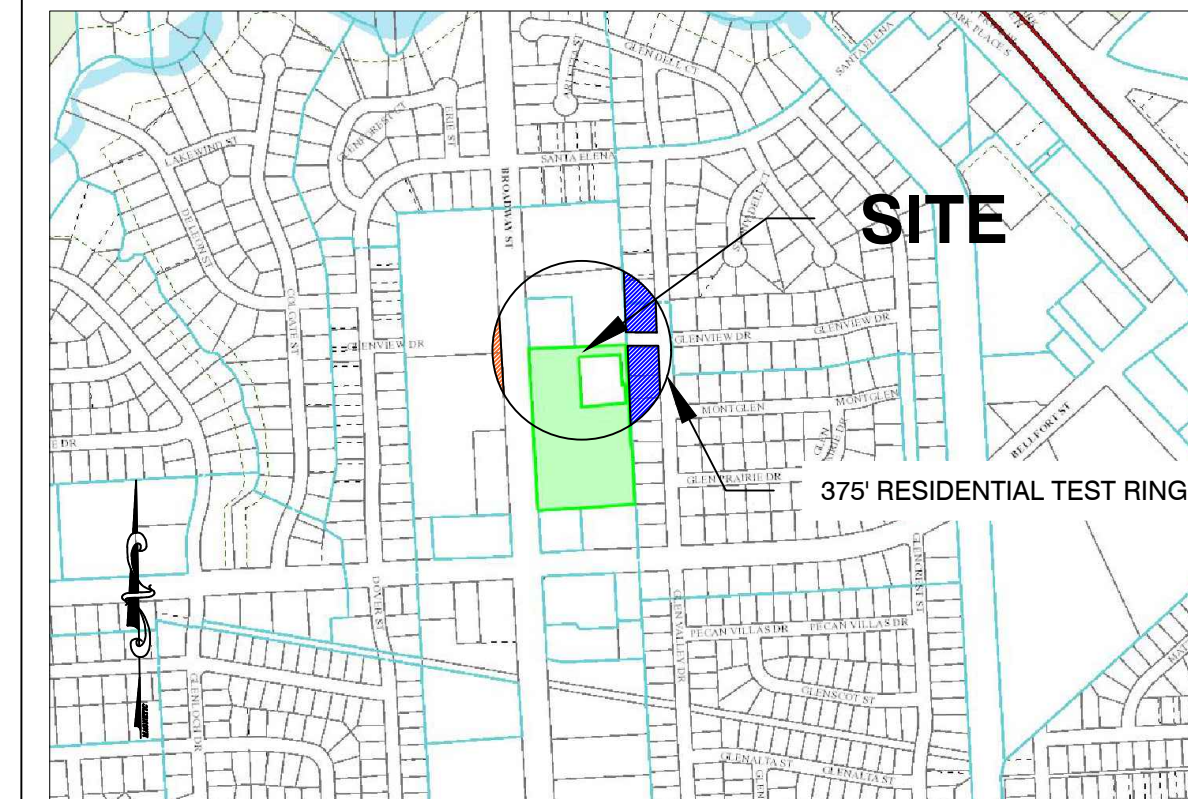
VICINITY MAP:



LAND USE MAP:



RESIDENTIAL SETBACK MAP



SHEET INDEX:

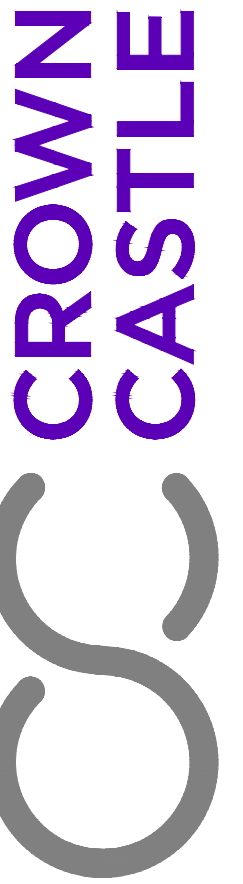
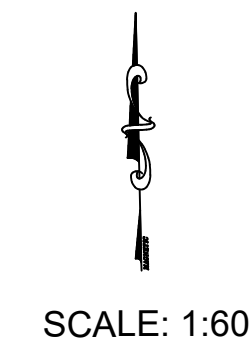
- SHEET 1:** PROJECT INFORMATION & TOWER SITE PLAN
- SHEET 2:** COMPOUND SITE PLAN & TOWER ELEVATION
- SHEET 3:** 375' TEST RING

RELEASE OF THIS APPLICATION DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION, AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY, AND ADEQUACY OF HIS/HER SUBMITTAL, WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY CITY ENGINEERS.

CROWN CASTLE HEAVY TRAFFIC

CASE NUMBER:

SUBMITTAL DATE:



SITE INFORMATION

PROPOSED RELOCATION SITE
- HEAVY TRAFFIC
- BU#832152

8197 1/2 BROADWAY STREET,
HOUSTON, TX 77061

PROPERTY OWNER

BRIXMOOR HOLDINGS 12 SPE LLC
BRIXMOOR PROPERTY GROUP
500 EAST BROADWAY BLVD STE
1130
FORT LAUDERDALE, FL 33394



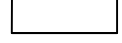

TOWER OWNER

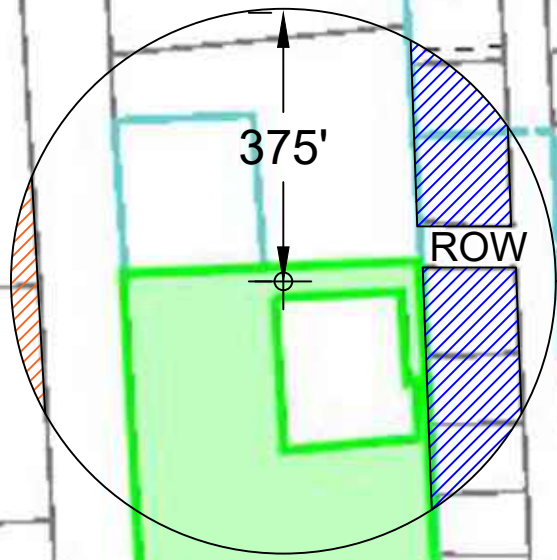
CROWN CASTLE



375' TEST RING

LEGEND

-  SINGLE FAMILY RESIDENTIAL (7 TRACTS)
-  MULTI FAMILY RESIDENTIAL (2 TRACTS)
-  NON RESIDENTIAL (5 TRACTS)
-  PARENT TRACT



Number of Tracts per type:
 Non-residential: 4
 Single-family residential (lots count as one) = 7
 Multifamily residential (MF):
 Square footage of portion of tract inside test area = 4,800 Sq. Ft.
 Square footage divided by 43,560 = 0.11 acres
 Multiply acres by 8 = 0.88 multifamily equivalency

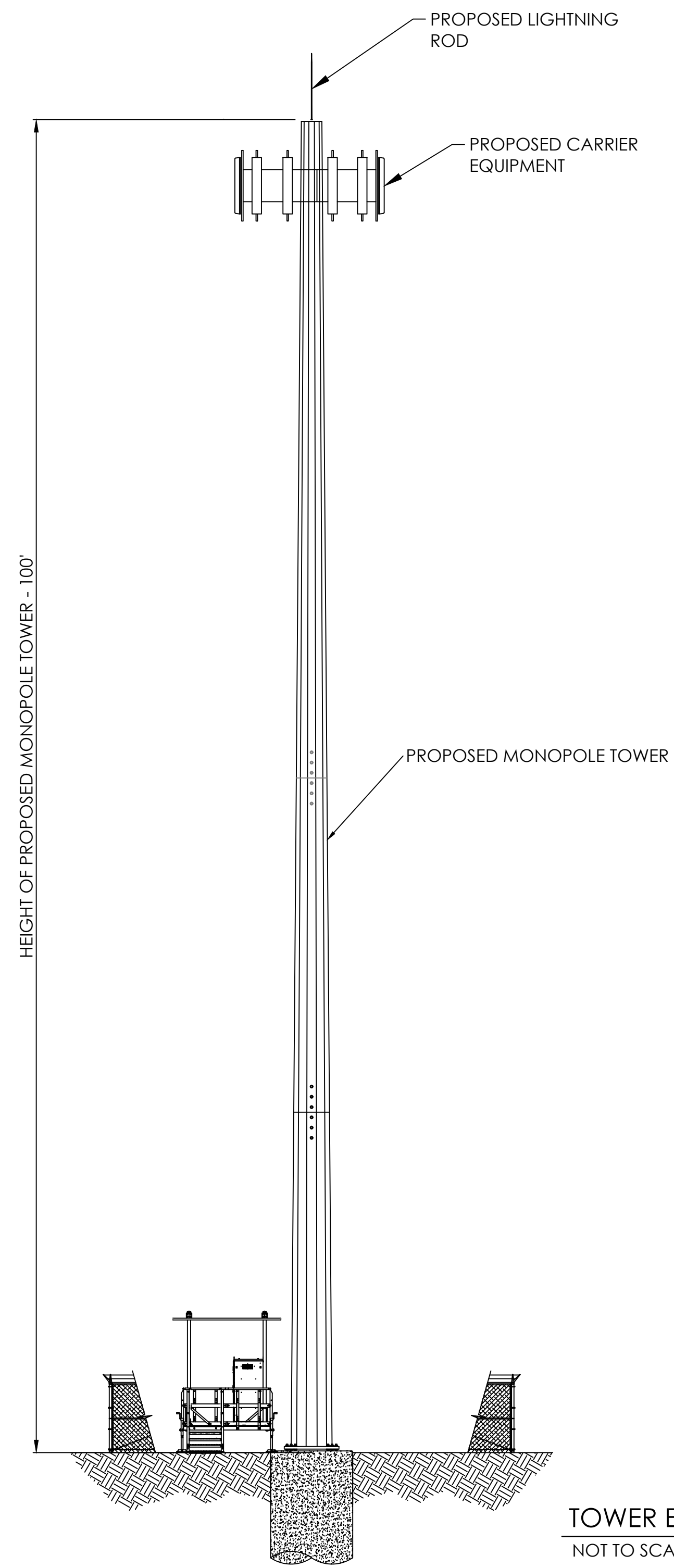
Calculate Percentage:
 Total number of tracts 13 = 100% then:
 5 tracts non-residential divided by total = 38.46%
 Single-family 7 + multifamily equivalency 0.88 = number of residential tracts
 tracts residential divided by total = 60.62%



SITE INFORMATION
 PROPOSED RELOCATION SITE - HEAVY TRAFFIC
 BU#832152
 8197 1/2 BROADWAY STREET, HOUSTON, TX 77061

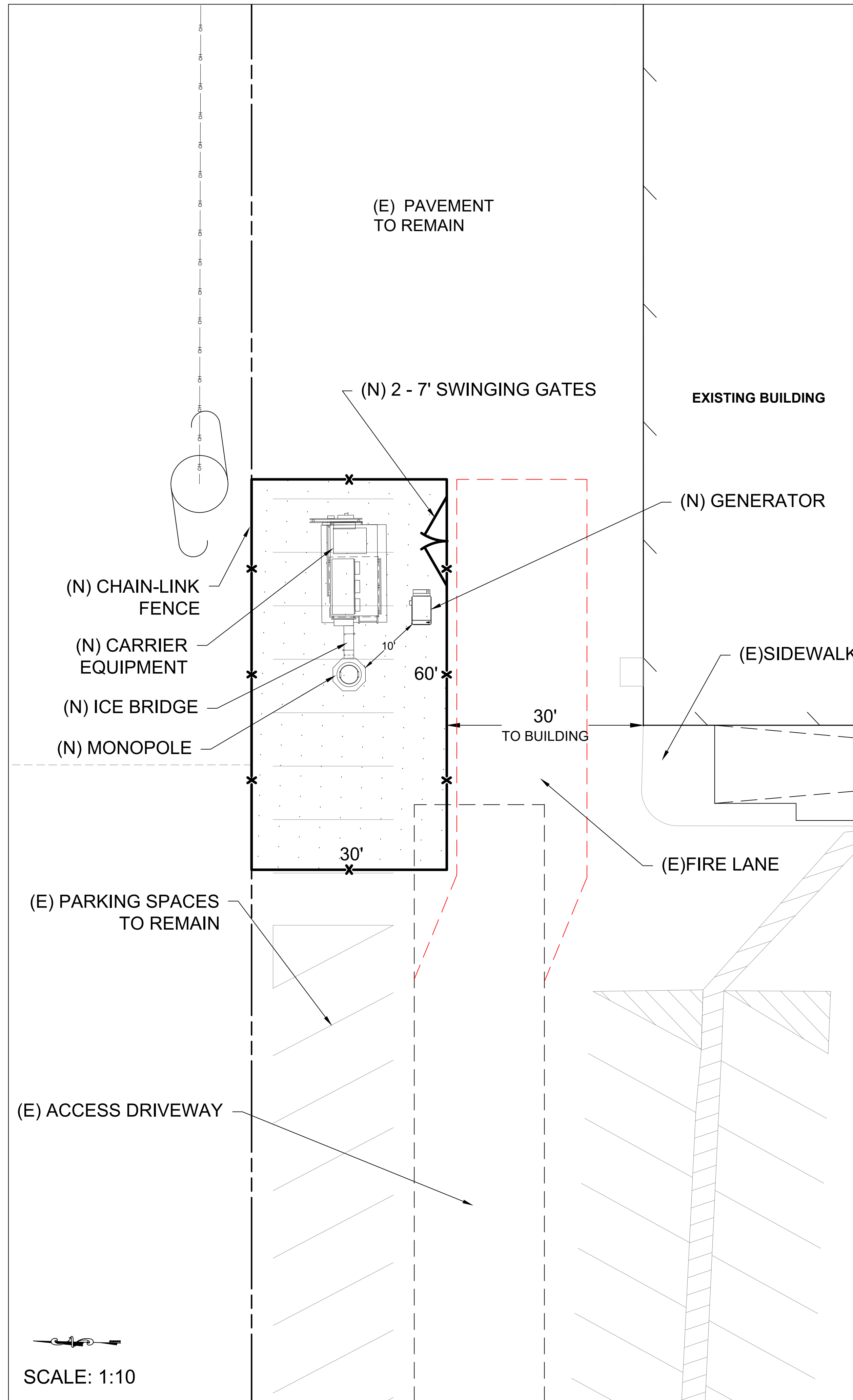


COMPOUND SITE PLAN & TOWER ELEVATION



TOWER ELEVATION
NOT TO SCALE

NOTE:
TOWER ELEVATION SHOWN IS NOT DRAWN TO SCALE AND IS INTENDED ONLY FOR REFERENCE PURPOSES. REFER TO ORIGINAL TOWER DESIGN FOR ADDITIONAL INFORMATION.



SCALE: 1:10

LEGEND	
	ACCESS AGREEMENT
	OVERHEAD ELECTRIC
	CHAIN-LINK FENCE
	FIRE HYDRANT
	UTILITY POLE
	PROPERTY LINE

SITE NOTES:

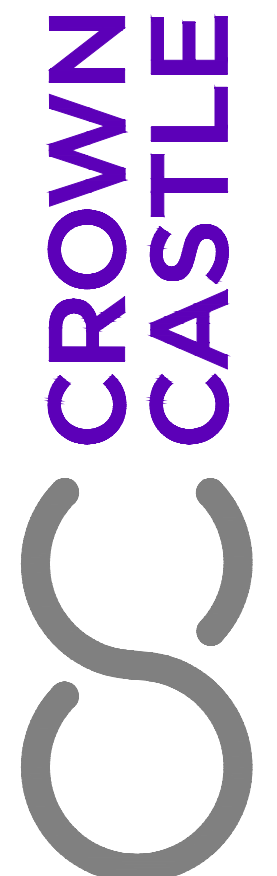
- GATE ENCLOSURE SHALL HAVE NFPA 704 SIGN.
- THIS SITE WILL HAVE A BACKUP GENERATOR INSTALLED.

RELEASE OF THIS APPLICATION DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION, AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY, AND ADEQUACY OF HISHER SUBMITTAL, WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY CITY ENGINEERS.

CROWN CASTLE HEAVY TRAFFIC

CASE NUMBER:

SUBMITTAL DATE:



SITE INFORMATION	PROPERTY OWNER	TOWER OWNER
PROPOSED RELOCATION SITE - HEAVY TRAFFIC BU#632152 8197 1/2 BROADWAY STREET, HOUSTON, TX 77061	BRIMOR HOLDINGS 12 SRE LLC BRIMOR HOLDINGS FT GROUP 500 EAST BROADWAY BLVD STE 1130 FORT LAUDERDALE, FL 33394	CROWN CASTLE

SET ISSUED FOR PERMIT	DATE

REVISIONS	NO.	DATE	DESCRIPTION

DRAWN BY	REVIEWED BY
---	VGH

B:\Crown\2023\832152 Heavy Traffic_Houston\CAD\Drawing Files\Crown Broadway.dwg 8/9/2023 11:00:34 AM

Tower Permit Waiver Application

Date: 07 / 27 / 2023

APPLICANT INFORMATION:

Site address: 8197 2/3 Broadway Street Houston Tx 77061 (911 address)

Tower Company: Crown Castle Inc. C/O Vincent Gerard & Associates Inc.

Contact person: Vincent G. Huebinger Title: President VGA Inc.

Phone: 512 328 /2683 FAX: /N/A Email: Vinceh@vincentgerard.com

The waiver application request must be completed in full and include the appropriate studies, investigations, and colored coded maps. Applicants must provide 12 copies minimum of supporting documentation with the waiver application. A separate application is required for each waiver. Attach no more than 2 pages of waiver request details.

WAIVER REQUEST:

Specify City Code reference and standard subject to waiver: 28-524 (g)

Reason for waiver: The existing tower will remain temporarily parceled over until the proposed sit on air

WAIVER JUSTIFICATION:

Following a public hearing, the Tower Commission is authorized to consider and grant a waiver according to the five provisions delineated in Chapter 41, Article III, Section 41-59. Provide an attachment to this form repeating the following conditions with a response for justification of the waiver for each of the by showing that:

1. *a literal application of this article will result in undue and unnecessary hardship to the applicant, taking into account any federal or state licenses the applicant may have received to conduct its business because...;*
2. *the waiver, if granted, will not be contrary to the public interest as implemented in this article because...;*
3. *consistent with the city's police power authority over towers, the waiver, if granted, will not be detrimental to the public health, safety, or welfare because...;*
4. *the waiver, if granted, will not result in a violation of any other applicable ordinance, regulation or statute enforceable by the city because...; and*
5. *the waiver, if granted, will not result in the violation of any applicable deed restriction or zoning regulation or the location of a tower in a park because....*

Tower permit applications that do not comply with Section 41-53(h) regarding the 1,000-foot tower separation standard must also complete **Tower Permit Waiver Application – Page 2**.

WAIVER APPLICATION CERTIFICATION

I certify that all the information on this application is true and correct.

Signature of applicant or agent: *Jack Van Pelt*

Print Name: Jack Van Pelt

Tower Permit Waiver Application

Date: 07 / 27 / 2023

Page 2: Sec 41-59(e) Proposed tower located within 1,000 feet of existing approved tower

APPLICANT INFORMATION:

Site address: 8197 2/3 Broadway Street Houston Tx 77061 (911 address)

Tower Company: Crown Castle Inc. C/O Vincent Gerard & Associates Inc.

Contact person: Vincent G. Huebinger Title: President VGA Inc.

Phone: 512 328 /2683 FAX: /N/A Email: Vinceh@vincentgerard.com

The waiver application request must be completed in full and include the appropriate studies, investigations, and colored coded maps. Applicants must provide 12 copies minimum of supporting documentation with the waiver application. A separate application is required for each waiver.

WAIVER JUSTIFICATION:

Following a public hearing, the Tower Commission is authorized to consider and grant a waiver from the requirements of section 41-53(h) of the City Code upon finding compliance with Sections 41-59 (d) and (e). Provide an attachment to this form repeating the one or more appropriate criteria with a response for justification of the waiver showing that:

1. *the approved tower or tower structure located within 1,000 feet of the proposed tower will not meet the applicant's engineering requirements because..., or;*
2. *the approved tower or tower structure located within 1,000 feet of the proposed tower is not of sufficient height to meet the applicant's specific engineering requirements because ..., or;*
3. *the approved tower or tower structure located within 1,000 feet of the proposed tower does not have sufficient structural strength and cannot reasonably be reinforced to provide sufficient structural strength because..., or;*
4. *the antenna array of the approved tower or tower structure located within 1,000 feet of the proposed tower would cause electromagnetic interference with the antenna array of the proposed tower, or the antenna on the proposed tower or tower structure to be located within 1,000 feet of the approved tower would cause interference with the antenna array of the approved tower because..., or;*
5. *the approved tower or tower structure located within 1,000 feet of the proposed tower is not adaptable to accommodate additional antenna arrays or the costs required to share or adapt the approved tower or tower structure are unreasonable because..., or;*
6. *the approved tower or tower structure located within 1,000 feet of the proposed tower is not available for co-location because the owner of the approved tower or tower structure or the owner of the tract on which the approved tower or tower structure is located refuses to agree to reasonable terms necessary to accommodate the requirements for the proposed antenna because..., or;*
7. *the approved tower or tower structure located within 1,000 feet of the proposed tower is not suitable for the specific requirements for the proposed antenna due to other factors as demonstrated by the applicant, taking into account any federal or state licenses the applicant may have received to conduct its business because...*

WAIVER APPLICATION CERTIFICATION

I certify that all the information on this application is true and correct.

Signature of applicant or agent: Jack Van Pelt

Print Name: Jack Van Pelt



VINCENT GERARD & ASSOCIATES, INC.

August 4, 2023

Ms. Margret Wallace Brown
City of Houston Planning
611 Walker Street 6th Floor
Houston Texas 77002

**RE: Crown Castle “Heavy Traffic” - BU 832152 Replacement site for an existing 100’ Monopole-
New Site address - 8197 2/3 Broadway Street, Houston, TX 77061**

Dear Ms. Brown.

Crown Castle has an existing wireless facility located at 8121 Broadway Street, adjacent parcel to the proposed new location. Unfortunately, the existing tower landowner is not willing to extend the current lease at or even near market terms, forcing Crown to relocate the facility. We are asking for your approval on a replacement site in the parking area of the Brixmor Holdings 12 SPE LLC shopping Center in the North end of the parking lot. It is 76’ south of the existing site, which makes it a perfect replacement site for coverage. It will require a waiver from 41-59E for temporary separation distances less than 1,000’ from another wireless structure. Crown Castle will be de-commissioning the tower shortly after the new structure is completed and the carrier is on air. The structure’s location meets the 1.5x height setback from any residential uses. The residential test ring catches enough of the Thai Juan Village condo lots to exceed the 50% test mark, requiring a waiver to the Tower Commission to exceed 50%. The ring is currently calculated at 61%, from a 375’ residential test ring for a 100’ wireless Monopole. Notification will include all 375 owners of the Thai Juan Village condominiums.

The current site has AT&T Wireless and employs FirstNet, the Emergency and First responders’ network. It cannot afford to go unreplaced. The site is over 1.5x the distance from the Glenbrook Valley Historic District and will be relocated further from the landmark Salvatore & Lily Ann Muscanere Home. RF maps are forthcoming showing the neighborhood with and without coverages. The application and required attachments, forms and waivers are all included in this application for your review.

Sincerely

Vincent G Huebinger

AGENDA ITEM: II - A

TOWER APPLICATION AND WAIVER REQUEST - STAFF REPORT

Location:	File No.	Zip	Lamb. No.	Key Map
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8197.5 Broadway Street	24-T-0763	77061	5654	NA
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Applicant: Vincent Hubinger

Application Date: 2/21/2024

Location: Along Broadway Street south of I 45 and north of Bellfort

Existing Use: Retail and existing Cell Tower

Proposed Use: 100' Monopole Tower

Proposed Tower Users: Vertical Bridges

Waivers Request: 28-524 (g): Fall zone, of the Code of Ordinances of the City of Houston, Texas.

Relevant Tower Ordinance Waiver Provisions:

28-524 (b): Must not be within a residential area

28-524 (g): Must not be within 1,000' of an approved tower structure.

In a residential area, a tower permit shall not be approved for the construction or alteration of a tower structure.

STAFF COMMENTS:

Approval Criteria

Staff Findings

Tower is not prohibited by deed restrictions	The applicant has provided a deed restriction affidavit stating this tower proposal will not violate deed restrictions.
Tower is located in a residential area Residential test area is a 375' radius measured from the base of the tower. More than 50% of the tracts or parcels are used or restricted for residential purposes	Tower is not located in an area comprised of 60% residential tracts
Tower is not within a scenic area, in a park or on a tract of land surrounded by a park	The tower is not within a scenic area, park or in a tract of land surrounded by a park as defined by the ordinance.
Tower must setback 1-1/2 times the height of the tower from a residential lot.	Nearest residential tract allowed by the ordinance is 150'. The nearest residential structure is approximately 188' from the proposed tower.
Must not be within 1,000' of an approved tower structure	There is an approved tower structure within 1000'

Houston Tower Commission ITEM: II-B

Planning and Development Department

Meeting Date: 06/24/2024

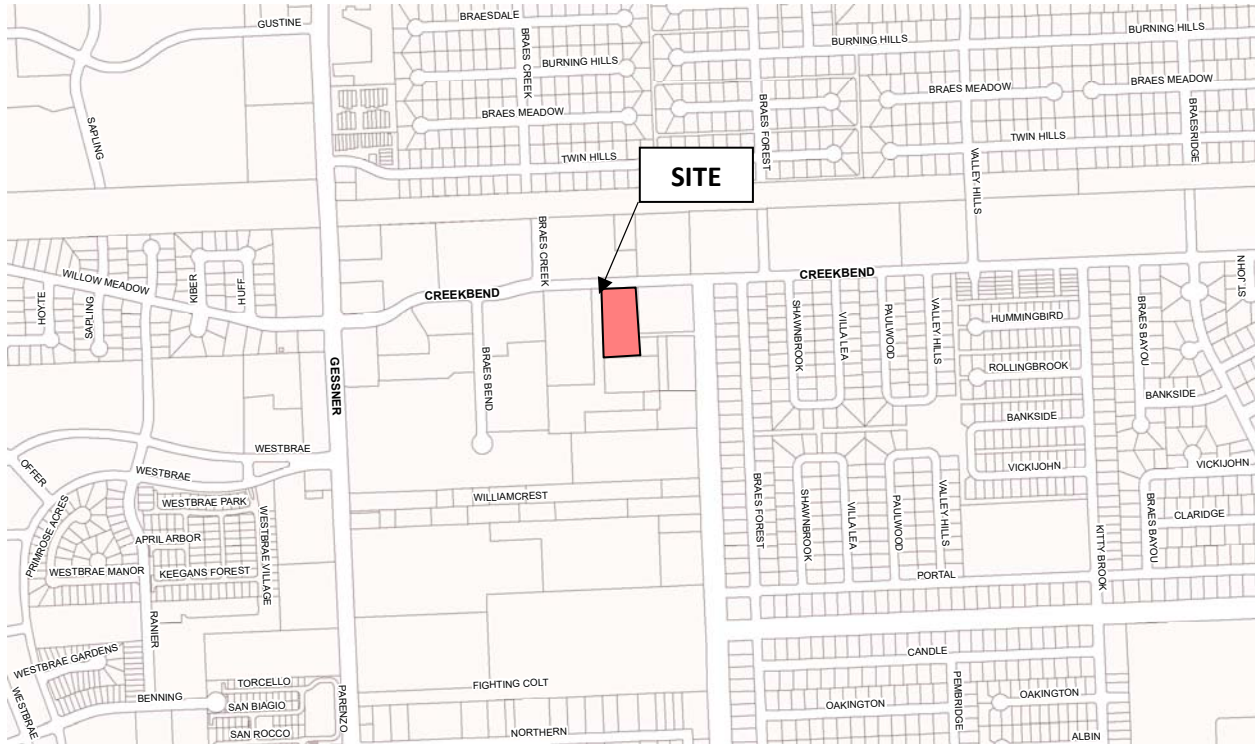


Exhibit: 8109 Creekbend Drive

Site location



Houston Tower Commission ITEM: II-B

Planning and Development Department

Meeting Date:06/24/2024



Exhibit: 8109 Creekbend Drive

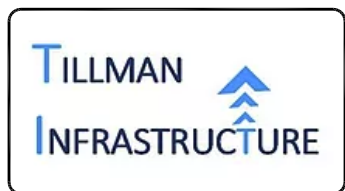
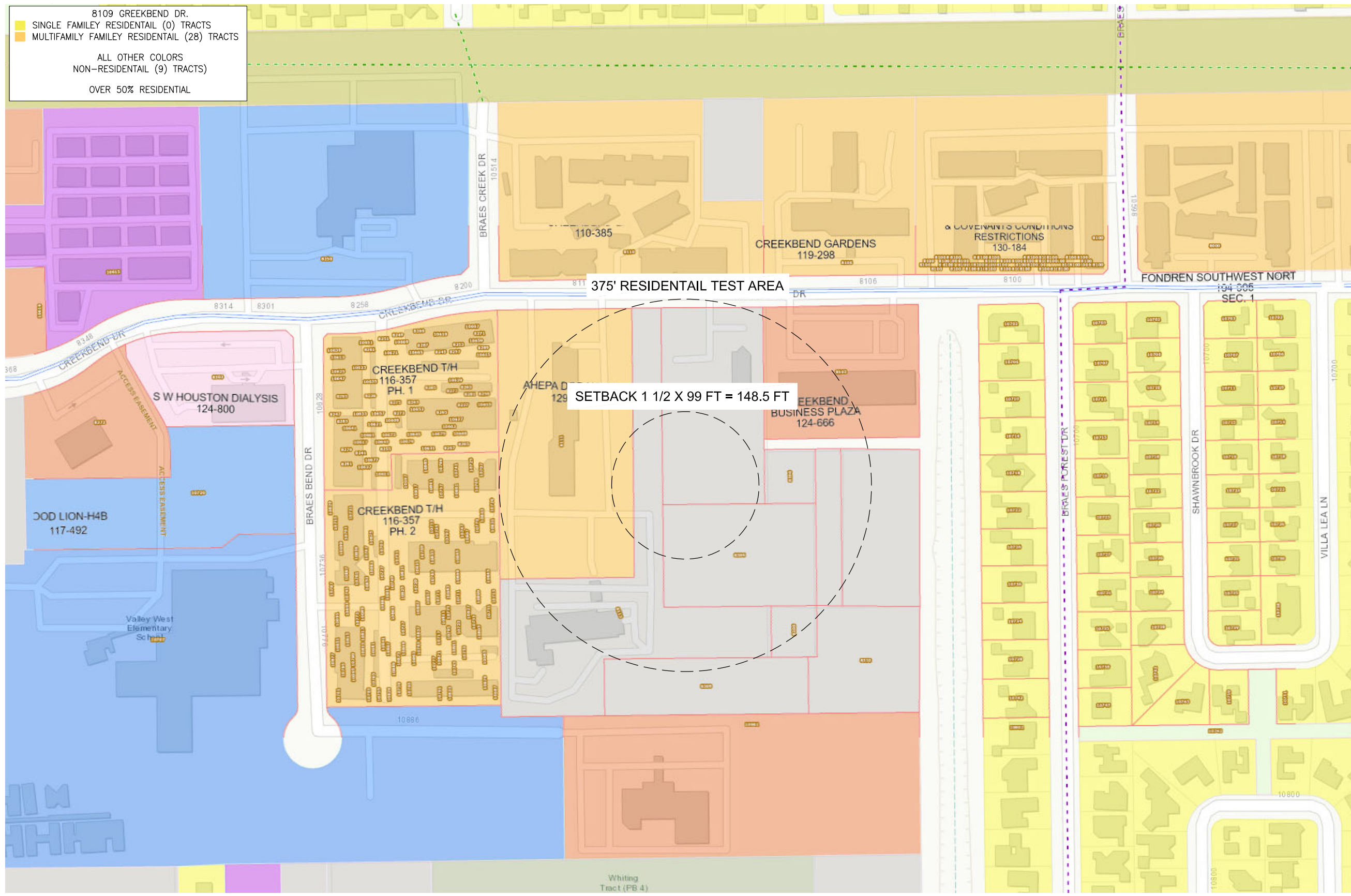
Aerial



NORTH



8109 GREEKBEND DR.
 ■ SINGLE FAMILY RESIDENTIAL (0) TRACTS
 ■ MULTIFAMILY FAMILY RESIDENTIAL (28) TRACTS
 ALL OTHER COLORS
 NON-RESIDENTIAL (9) TRACTS
 OVER 50% RESIDENTIAL



ZONING EXHIBIT
 NOT FOR CONSTRUCTION

DRAWN BY: DL
 CHECKED BY: DL

REV	DATE	DESCRIPTION
0	12/09/2022	ZONING EXHIBIT

TI-OPP #
 23086-A
 FA #
 15864739
 SITE NAME:
 CREEKBEND DR HOUSTON TX
 SITE ADDRESS:
 8109 GREEKBEND DR
 HOUSTON, TX 77071

SHEET TITLE
 LAND USE MAP

SHEET NUMBER
Z-0

1 LAND USE MAP
 Z-0 SCALE: 22"x34" SCALE: 1" = 100'-0"
 11"x17" SCALE: 1" = 200'-0"

Houston Tower Commission ITEM: II-B

Planning and Development Department

Meeting Date: 06/24/2024

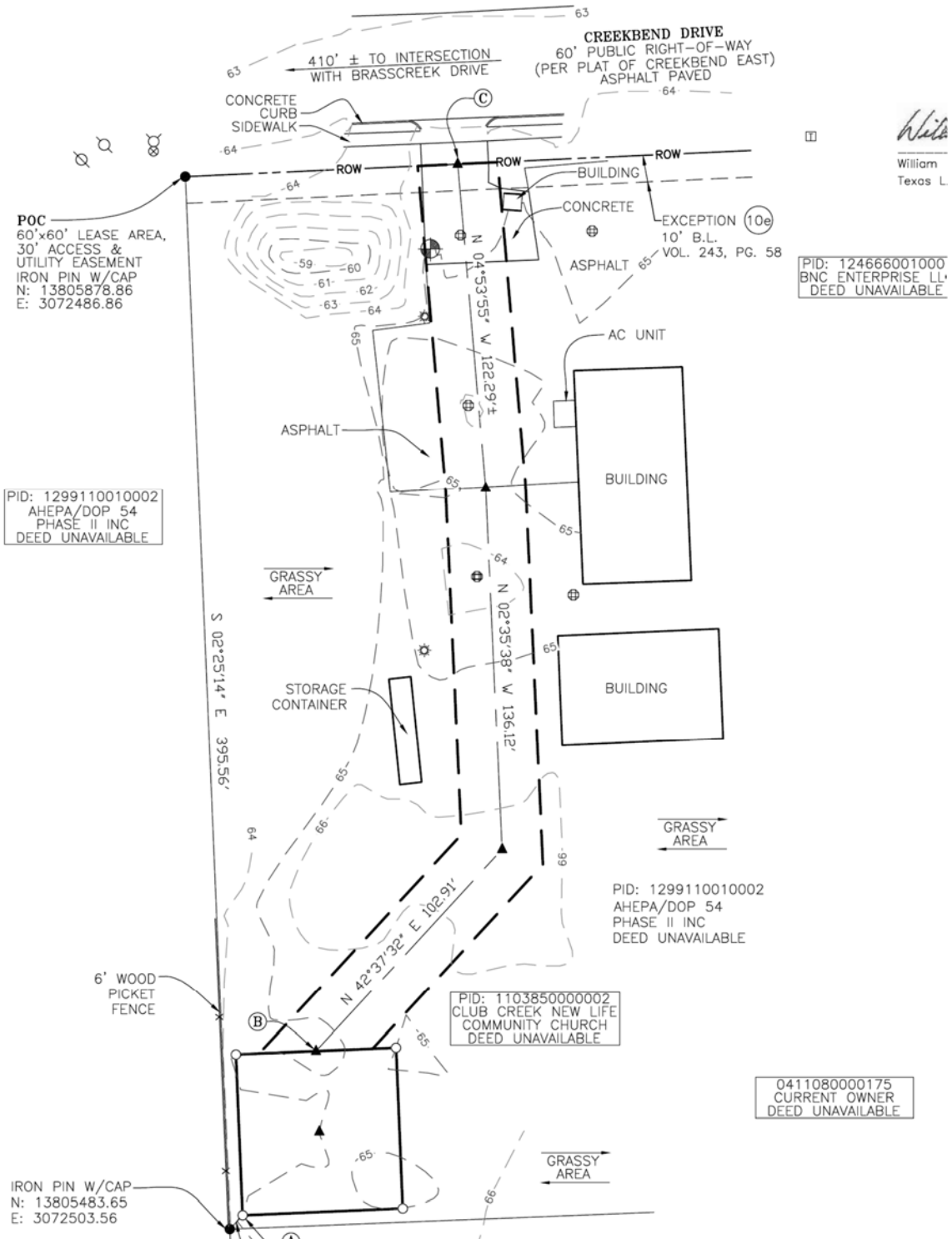
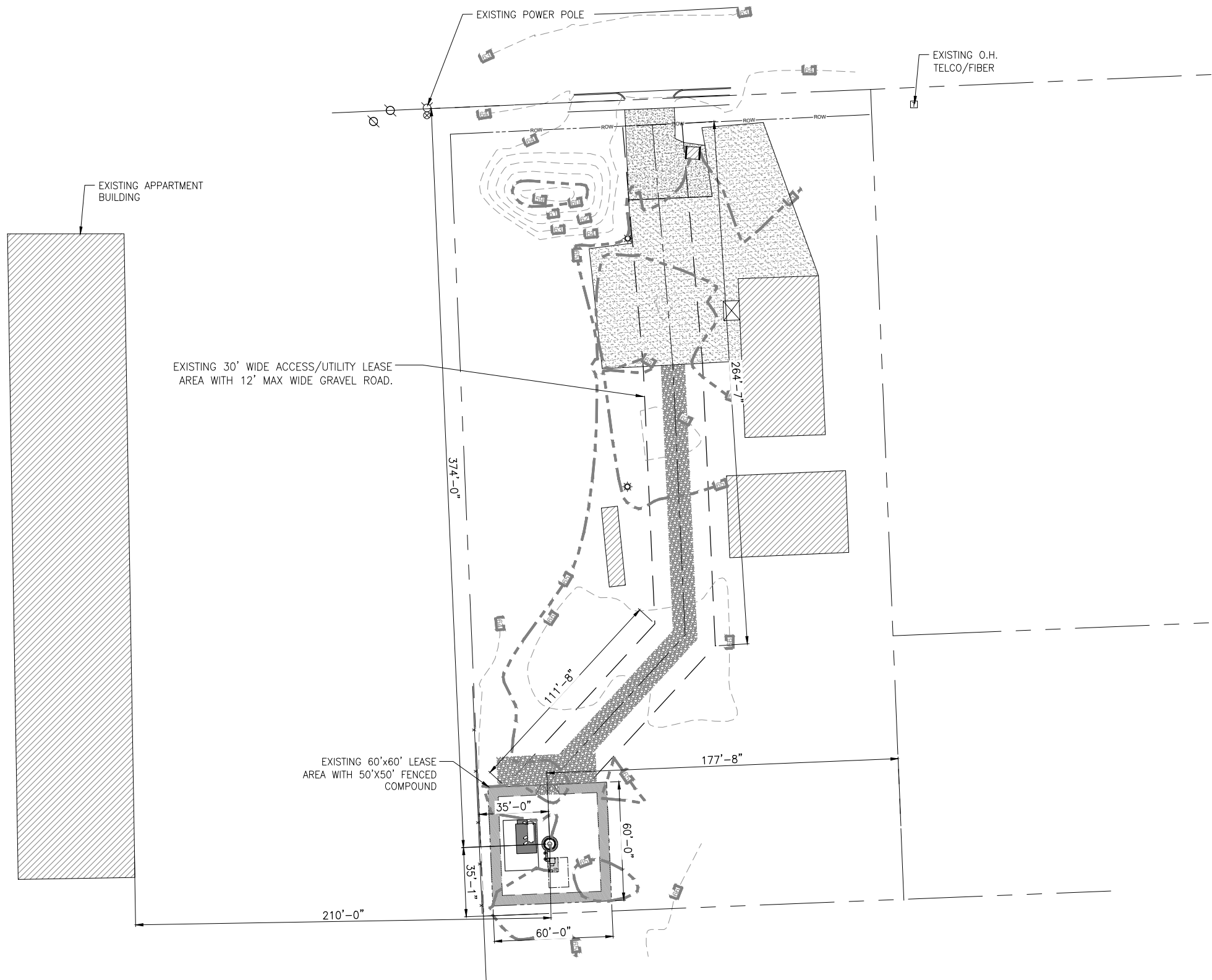


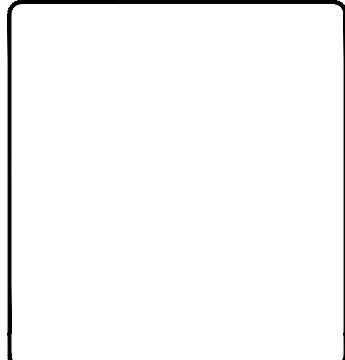
Exhibit: 8109 Creekbend Drive



ZONING EXHIBIT
NOT FOR CONSTRUCTION

DRAWN BY: DL
CHECKED BY: DL

REV	DATE	DESCRIPTION
0	12/09/2022	ZONING EXHIBIT
1	02/22/2023	ZONING EXHIBIT TWR HT
2	04/10/2024	ZONING EXHIBIT TWR EXT

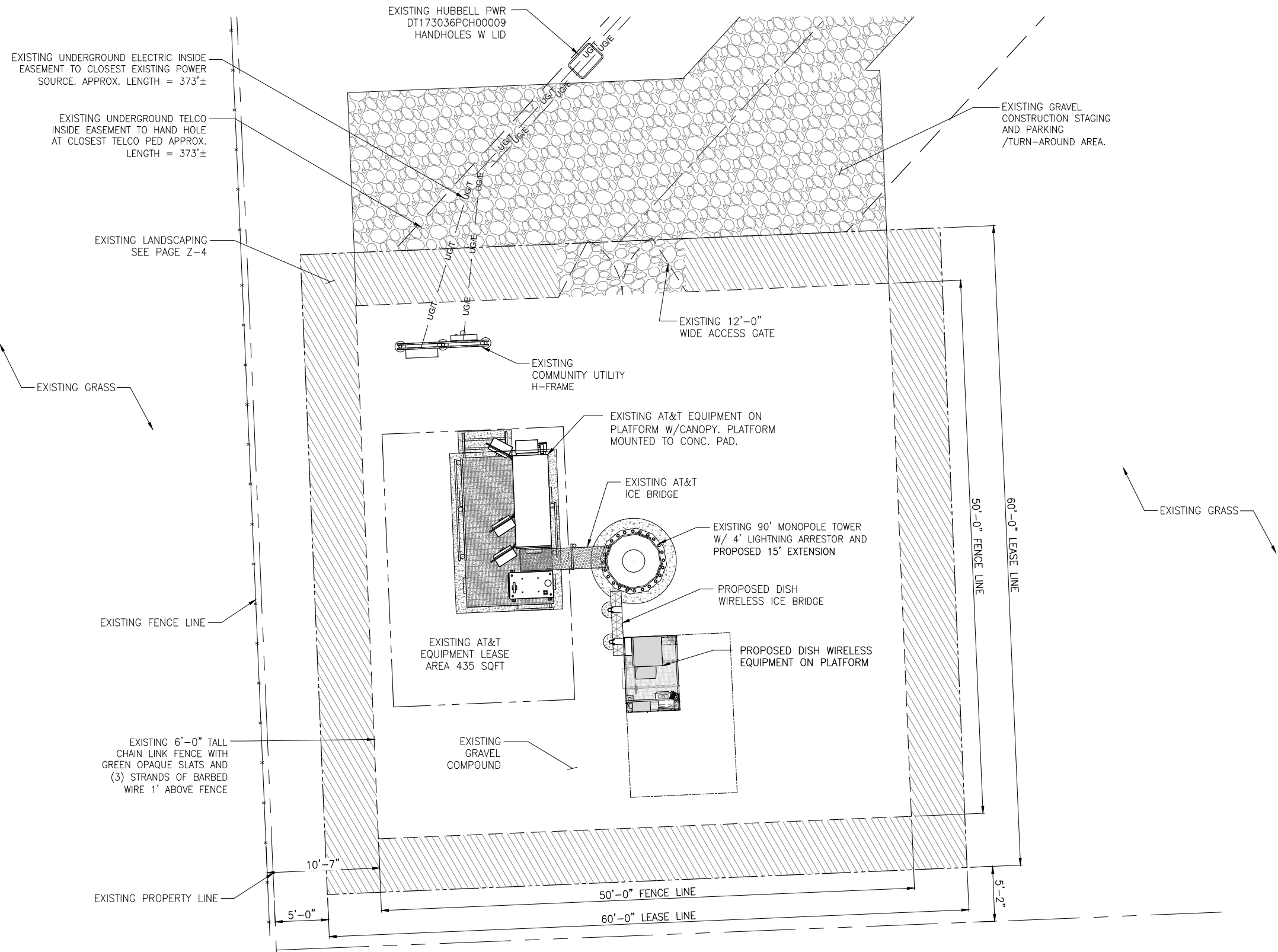


TI-OPP #
23086-A
FA #
15864739
SITE NAME:
CREEKBEND DR HOUSTON TX
SITE ADDRESS:
8109 CREEKBEND DR
HOUSTON, TX 77071

SHEET TITLE
OVERALL SITE PLAN

SHEET NUMBER
Z-1

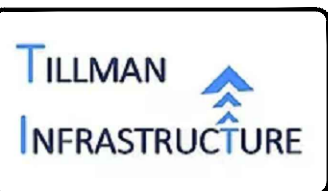
1 OVERALL SITE PLAN
Z-1 SCALE: 22"x34" SCALE: 1" = 30'-0"
11"x17" SCALE: 1" = 60'-0" 30' 15' 0' 30'



NOTE: AT&T IS THE ANCHOR TENANT.

LEGEND	
-----	PROPOSED LEASE LINE
-----	PROPOSED EASEMENT
-x-x-	PROPOSED FENCE
-o-o-	EXISTING FENCE
-----	EXISTING PAVEMENT
-----	EXISTING PROPERTY LINE

1 ENLARGED SITE PLAN
Z-2 SCALE: 22"x34" SCALE: 3/16" = 1'-0"
 11"x17" SCALE: 3/32" = 1'-0"



ZONING EXHIBIT
NOT FOR CONSTRUCTION

DRAWN BY: DL
CHECKED BY: DL

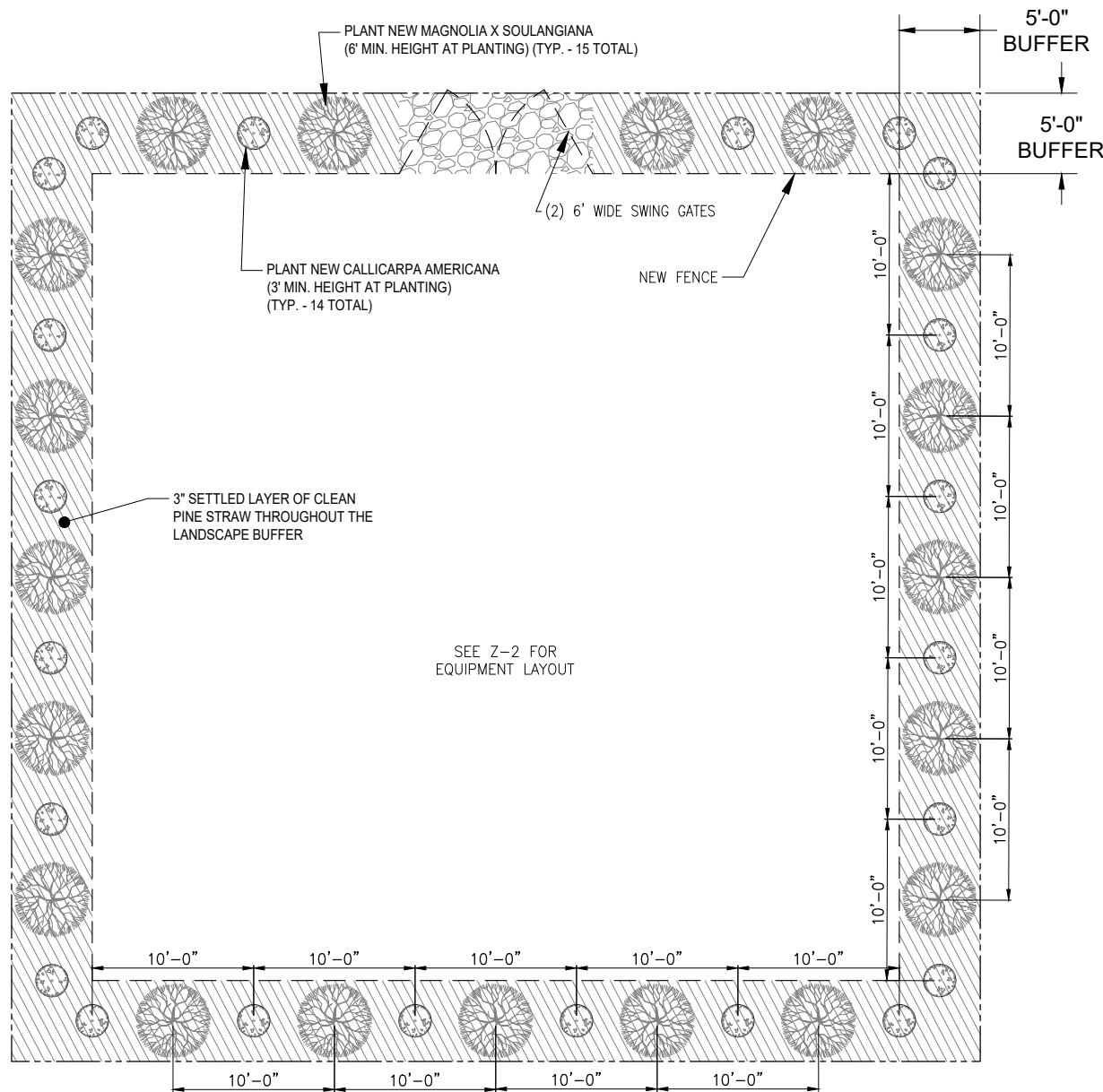
REV	DATE	DESCRIPTION
0	12/09/2022	ZONING EXHIBIT
1	02/22/2023	ZONING EXHIBIT TWR HT
2	04/10/2024	ZONING EXHIBIT TWR EXT



TI-OPP #
23086-A
FA #
15864739
SITE NAME:
CREEKBEND DR HOUSTON TX
SITE ADDRESS:
8109 CREEKBEND DR
HOUSTON, TX 77071

SHEET TITLE
ENLARGED SITE PLAN

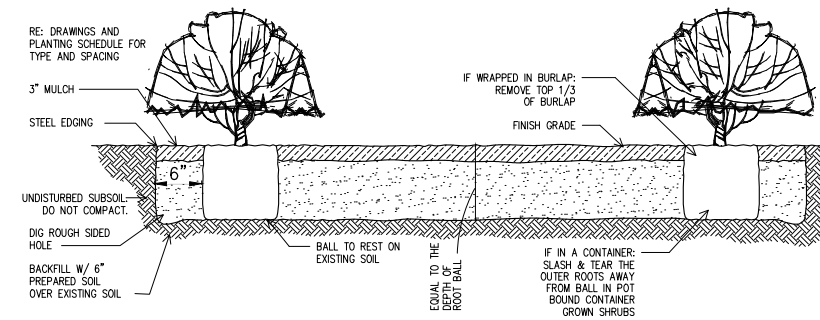
SHEET NUMBER
Z-2



SITE LANDSCAPE SCREENING - PLANTING CHART				
QUANTITY	SCIENTIFIC NAME	COMMON NAME	PLANT SIZE	SPACING
19	MAGNOLIA X SOULANGIANA	SAUCER MAGNOLIA	6' MIN. @ PLANTING	SEE PLAN
22	CALLICARPA AMERICANA	BEAUTYBERRY	3' MIN. @ PLANTING	SEE PLAN
PINESTRAW MULCH - 3" SETTLED LAYERS OF CLEAN STRAW				

1
Z-4 **LANDSCAPING PLAN**
SCALE: N.T.S.

THE CONTRACTOR SHALL VISIT THE SITE BEFORE BIDDING ON THE WORK CONTAINED WITHIN THIS DESIGN PACKAGE. DISCREPANCIES AND OMISSIONS SHALL BE BROUGHT TO THE ENGINEER'S ATTENTION PRIOR TO BIDDING.



NOTES

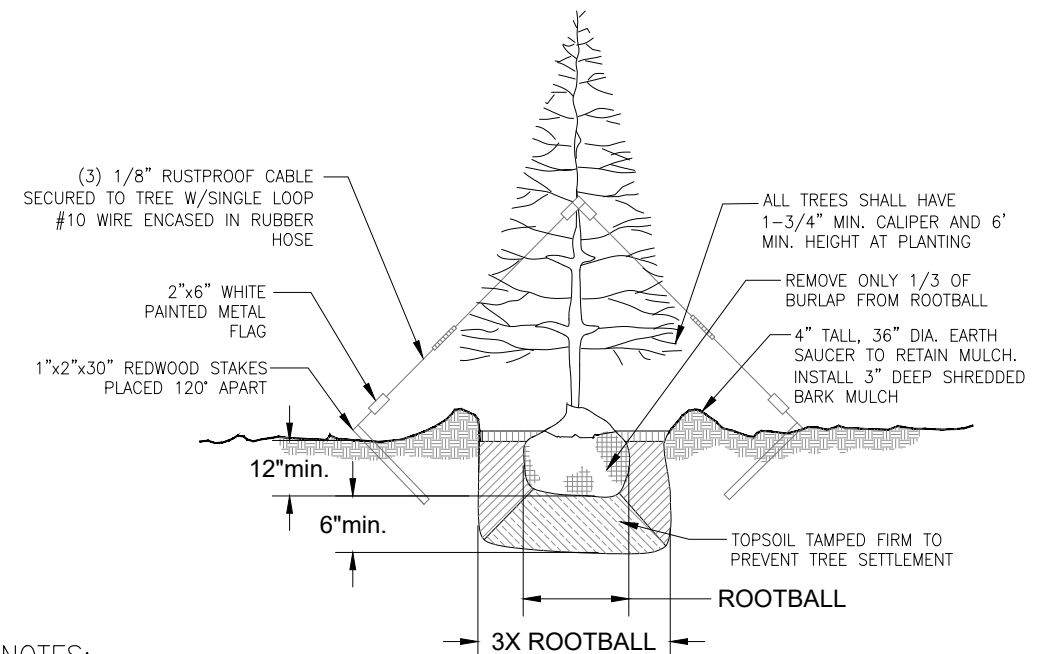
1. ALL LANDSCAPE PLANT MATERIALS SHOWN ARE NEW.
2. SUB-CONTRACTOR TO VERIFY LOCATIONS OF ALL EXISTING UTILITIES.
3. TOP SOIL TO BE NATURAL FRIABLE SOIL WITH NO LUMPS OR STONES MORE THAN 1" IN DIA. AND CONTAINING NO ROOTS, STUMPS OR SIMILAR DEBRIS.
4. RAKE TOPSOIL TO WITHIN 1 INCH OF FINAL GRADE INDICATED ON THE DRAWINGS.
5. IRRIGATION TO BE PROVIDED AS PER CITY SPECIFICATIONS.

PLANT MATERIALS & NOTES

ELAEAGNUS-(Elaeagnus Pungena)
MIN. 3 GALLON CONTAINER GROWN. FULL FOLIAGE. SPACE AT 5'-0" O.C. MAXIMUM. PROVIDE RYERSON 4" X 1/8" STEEL EDGING ON EDGES OF PLANTER BED WHICH IS NOT ADJACENT TO CONCRETE PAVING. MULCH TO BE SHREDDED HARDWOOD MEDIUM GRADE. PLANT PER DETAILS. WATER SHRUBS THOROUGHLY AFTER PLANTING.

SOIL PREPARATION SPECIFICATIONS

Shrubs, Ground Cover and Annual Beds: Excavate 4", add 5" organic matter, with 10x5x5 fertilizer or equivalent 4 lbs. per 100 sq. ft. rototill to 8" depth. Cover all beds with 3" of shredded hardwood mulch after plants are in place. Organic matter to consist of 1 part washed sand, 1 part sandy loam, and 2 parts peat.



PLANTING NOTES:

1. ALL PLANTS MUST BE HEALTHY, VIGOROUS MATERIAL, FREE OF PEST AND DISEASE.
2. ALL PLANTS MUST BE CONTAINER-GROWN OR BALLED AND BURLAPPED AS SPECIFIED.
3. ALL TREES MUST BE STRAIGHT TRUNKED, FULL HEADED AND MEET ALL REQUIREMENTS SPECIFIED.
4. ALL PLANTS ARE SUBJECT TO THE APPROVAL OF THE OWNER'S REPRESENTATIVE BEFORE, DURING, AND AFTER INSTALLATION.
5. ALL TREES MUST BE GUYED OR STAKED.
6. ALL PLANTS AND PLANTING AREAS MUST COMPLETELY MULCHED AS SPECIFIED.
7. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND SHALL AVOID DAMAGE TO ALL UTILITIES DURING COURSE OF WORK. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ALL DAMAGE TO UTILITIES.
8. THE CONTRACTOR IS RESPONSIBLE FOR FULLY MAINTAINING ALL PLANTING AREAS (INCLUDING, BUT NOT LIMITED TO: WATERING, SPRAYING, MULCHING, FERTILIZATION, ETC.) UNTIL THE WORK IS FULLY ACCEPTED.
9. THE CONTRACTOR SHALL COMPLETELY GUARANTEE ALL PLANT MATERIAL FOR A PERIOD OF (1) ONE YEAR BEGINNING AT THE DATE OF TOTAL ACCEPTANCE. THE CONTRACTOR SHALL PROMPTLY MAKE ALL REPLACEMENTS BEFORE OR AT THE END OF THE GUARANTEE PERIOD.
10. THE OWNER'S REPRESENTATIVE WILL APPROVE THE STAKED LOCATION OF ALL PLANT MATERIAL PRIOR TO INSTALLATION.
11. AFTER BEING DUG AT THE NURSERY SOURCE, ALL TREES IN LEAF SHALL BE ACCUMULATED FOR TWO (2) WEEKS UNDER A MIST SYSTEM PRIOR TO INSTALLATION.
12. ANY PLANT MATERIAL THAT DIES, TURNS BROWN OR DEFOLIATES (PRIOR TO TOTAL ACCEPTANCE OF THE WORK) SHALL BE PROMPTLY REMOVED FROM THE SITE AND REPLACED WITH MATERIAL OF THE SAME SPECIES, QUANTITY, SIZE AND MEETING ALL SPECIFICATIONS.
13. STANDARDS SET FORTH IN "AMERICAN STANDARD FOR NURSERY STOCK", LATEST EDITION, REPRESENTS GUIDELINE SPECIFICATIONS ONLY AND SHALL CONSTITUTE MINIMUM QUALITY REQUIREMENTS FOR PLANT MATERIAL.
14. ALL REQUIRED TREE PROTECTION MEASURES SHALL BE INSTALLED PRIOR TO GRADING OR EXCAVATING.
15. UNDISTURBED BUFFERS SHALL BE REPLANTED TO BUFFER STANDARDS WHERE SPARSELY VEGETATED OR WHERE DISTURBED AT APPROVED UTILITY CROSSINGS. REPLANTING IS SUBJECT TO COUNTY ARBORIST APPROVAL.
16. TREES TO BE A MINIMUM OF 6' IN HEIGHT AT TIME OF PLANTING.

2
Z-4 **TREE PLANTING DETAIL**
SCALE: N.T.S.



ZONING EXHIBIT
NOT FOR CONSTRUCTION

DRAWN BY: DL

CHECKED BY: DL

REV	DATE	DESCRIPTION
0	12/09/2022	ZONING EXHIBIT
1	02/22/2023	ZONING EXHIBIT TWR HT
2	04/10/2024	ZONING EXHIBIT TWR EXT

TI-OPP #
23086-A
FA #
15864739
SITE NAME:
CREEKBEND DR HOUSTON TX
SITE ADDRESS:
8109 CREEKBEND DR
HOUSTON, TX 77071

SHEET TITLE
LANDSCAPE DETAILS

SHEET NUMBER
Z-4

ZONING EXHIBIT
NOT FOR CONSTRUCTION

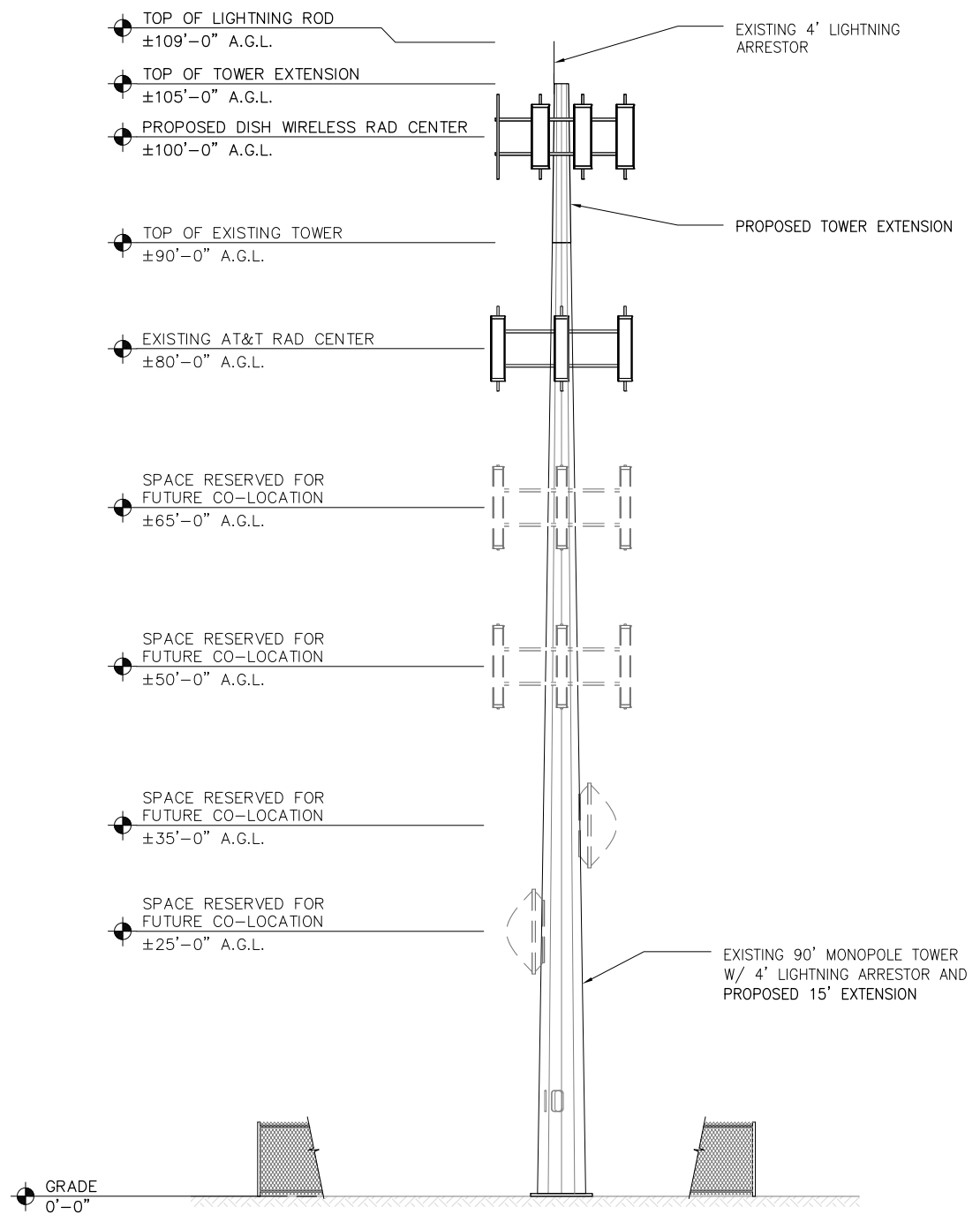
DRAWN BY: DL
CHECKED BY: DL

REV	DATE	DESCRIPTION
0	12/09/2022	ZONING EXHIBIT
1	02/22/2023	ZONING EXHIBIT TWR HT
2	04/10/2024	ZONING EXHIBIT TWR EXT

TI-OPP #
23086-A
FA #
15864739
SITE NAME:
CREEKBEND DR HOUSTON TX
SITE ADDRESS:
8109 CREEKBEND DR
HOUSTON, TX 77071

SHEET TITLE
ELEVATION

SHEET NUMBER
Z-3



1 TOWER ELEVATION
Z-3 SCALE: 22"x34" SCALE: 1/8" = 1'-0"
11"x17" SCALE: 1/16" = 1'-0" 8' 6' 4' 2' 0' 8'



Houston, Texas, Tower Commission Request for a Waiver: Chapter 28, Article XVI Section 28-524(b)

Applicant: SCI Wireless and Tillman Infrastructure
200 Ridge Point Drive
Heath, TX 75126

Tenant: Dish Network

Contact: Greg Ferris, SCI Wireless
PO Box 573
Wichita, KS 67201
Ph. 316-516-0808, Email: ferrisco@aol.com

Location: Property located at 8109 Creekbend Dr., Houston, TX 77071, PIN: 110385000002.
Existing Tower located at 8109 2/3 Creekbend Dr. (A)

Project Description

Tillman Infrastructure (“Tillman”) on behalf of Dish is requesting a Waiver from the Houston Tower Commission per Chapter 28, Article XVI Section 28-532 of the Houston Code. Tillman Infrastructure, on behalf of Dish, proposes to add ten feet to an approved 95-foot monopole with a 4-foot lightning rod on the property at 8109 Creekbend Dr. The tower has an address of 8109 2/3 Creekbend Dr. (A). This request is to waive Chapter 28, Article XVI Section 28-524(b) of the Houston Code. This Code Section does not allow a Tower Permit for a new tower in a “residential area”. The Houston Code defines “residential area” as: “Residential area means the area around a proposed tower site that, within the residential test area, contains fifty percent or more tracts wholly or partially therein that are subject to residential restrictions or are in use for residential purposes.” A waiver is required because in the residential test area more than 50% of the tracts are residential. The survey and drawings show that the tower is over 210 feet from the nearest residential structure. Therefore, no waiver is requested for setback from a residential structure.

Section 28-532 (d), states that the Tower Commission is authorized to consider and grant a waiver from the provisions of this article when if all of five conditions exist. This narrative describes how this application meets the required five conditions.

1. A literal application of this article will result in undue and unnecessary hardship to the applicant, taking into account any federal or state licenses the applicant may have received to conduct its business because...;

Applicant’s comment: Dish has determined that they need a communication tower in this area. Dish is a federally licensed company. This license allows AT&T to provide service to the Houston area without satellite dishes. This existing tower was approved

8109 2/3 Creekbend Dr. (A), Houston, TX 77071

by the Tower Commission and the Houston Building Department and is under construction. Dish needs the additional height to provide the required level of service. It would place a great hardship on Dish if it cannot adequately provide service.

2. The waiver, if granted, will not be contrary to the public interest as implemented in this article because...;

Applicant's comment: The tower exists, and an additional 10 feet will not have additional impact on the area. While there are enough residential tracts to require the waiver; there are no single-family tracts within the test area. The number of actual residential tracts in the test area is significantly less than the number of non-residential. The formula for multi-family creates the need for the waiver.

3. Consistent with the city's police power authority over towers, the waiver, if granted, will not be detrimental to the public health, safety, or welfare because...;

Applicant's comment: This tower addition will allow area residents to have access to Dish network without requiring satellite dishes attached to their structures. Eliminating satellite dishes is a positive visually as well as protecting the integrity of structures.

4. The waiver, if granted, will not result in a violation of any other applicable ordinance, regulation or statute enforceable by the city because;

Applicant's comment: This application does not violate any ordinance, regulation, or statute of the City. The regulation of towers in Houston allows for waivers when certain conditions exist. There is nothing else in this application that is contrary to the Codes of Houston.

5. The waiver, if granted, will not result in the violation of any applicable deed restriction or zoning regulation or the location of a tower in a park because....

Applicant's comment: The title is attached to this application. There is also a signed notarized affidavit stating that there is no deed or zoning restriction on the property. The tower is located on private property and not in a park.

AGENDA ITEM: II - B

TOWER APPLICATION AND WAIVER REQUEST - STAFF REPORT

Location:	File No.	Zip	Lamb. No.	Key Map
------------------	-----------------	------------	------------------	----------------

8109 2/3 Creekbend Drive	24-T-0764	77088	5053C	530X
--------------------------	-----------	-------	-------	------

Applicant: Greg Ferris, SCI Wireless

Application Date: 4/11/2024

Location: South along Creekbend drive and east of S. Gessner Road.

Existing Use: Vacant

Proposed Use: 105' Monopole tower

Proposed Tower Users: AT&T Wireless

Waivers Request: 28-524 (b) residential area of the Code of Ordinances of the City of Houston, Texas.

Relevant Tower Ordinance Waiver Provisions:

28-524 (b): In a residential area, a tower permit shall not be approved for the construction or alteration of a tower structure.

STAFF COMMENTS:

Approval Criteria

Staff Findings

Tower is not prohibited by deed restrictions	The applicant has provided an affidavit stating the Tower will not violate any applicable deed restrictions
Tower is located in a residential area Residential test area is a 600' radius measured from the base of the tower. More than 50% of the tracts or parcels are used or restricted for residential purposes	Tower is located in a residential area 90% of the properties within the residential test area are single family.
Tower is not within a scenic area, in a park or on a tract of land surrounded by a park	The tower is not within a scenic area, park or in a tract of land surrounded by a park as defined by the ordinance.
Tower must setback 1-1/2 times the height of the tower from a residential lot (157')	Nearest residential tract is more than 1.5 times the height away from the nearest residence building. The nearest residential structure is approximately 210' from the tower.
Must not be within 1,000' of an approved tower structure	There is no approved tower structure within 1000'

Houston Tower Commission

Planning and Development Department

Meeting Date: 06/24/2024

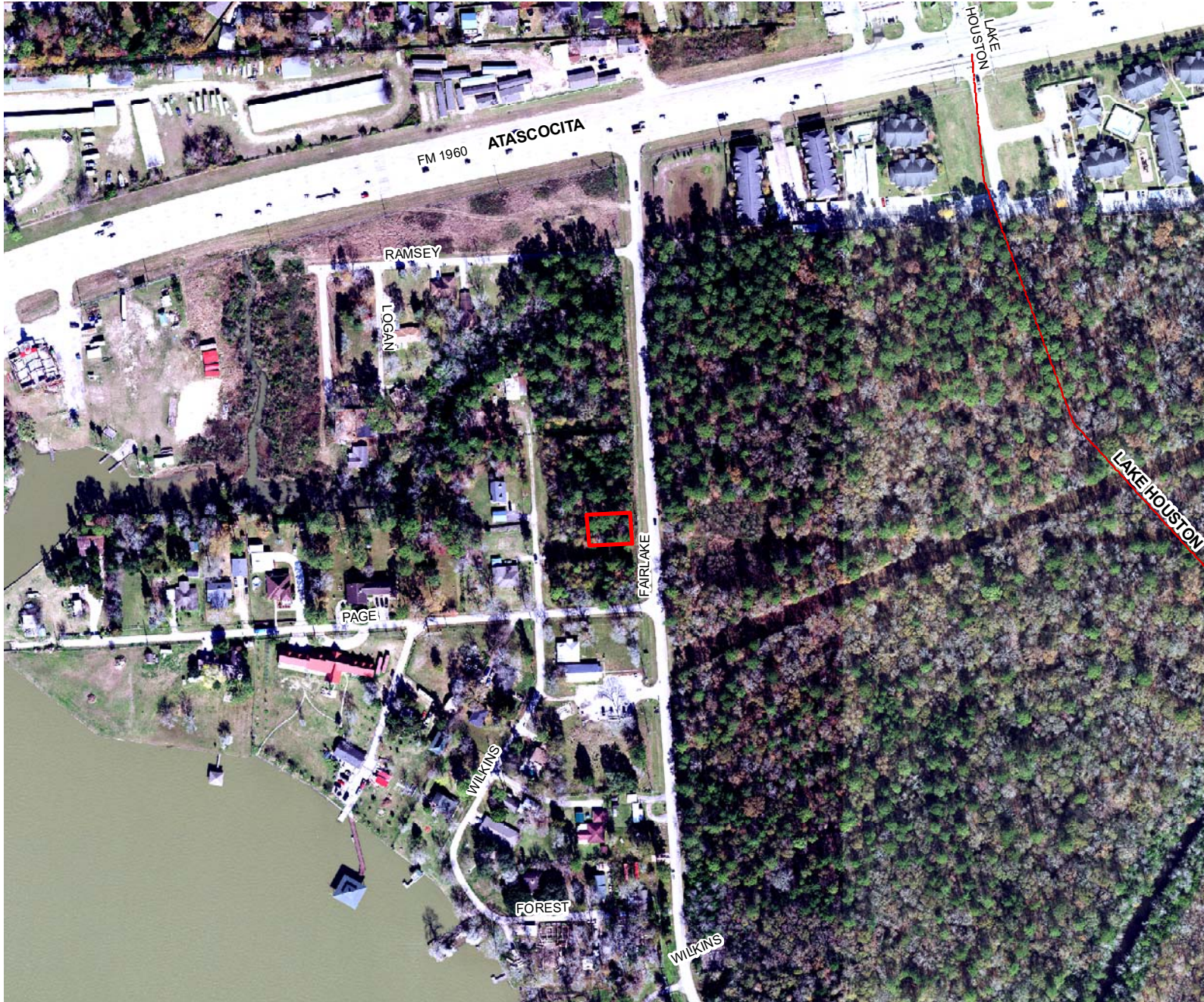


Site Location II-C

Houston Tower Commission

Planning and Development Department

Meeting Date: 06/24/2024



Site Location II-C

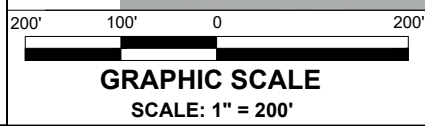
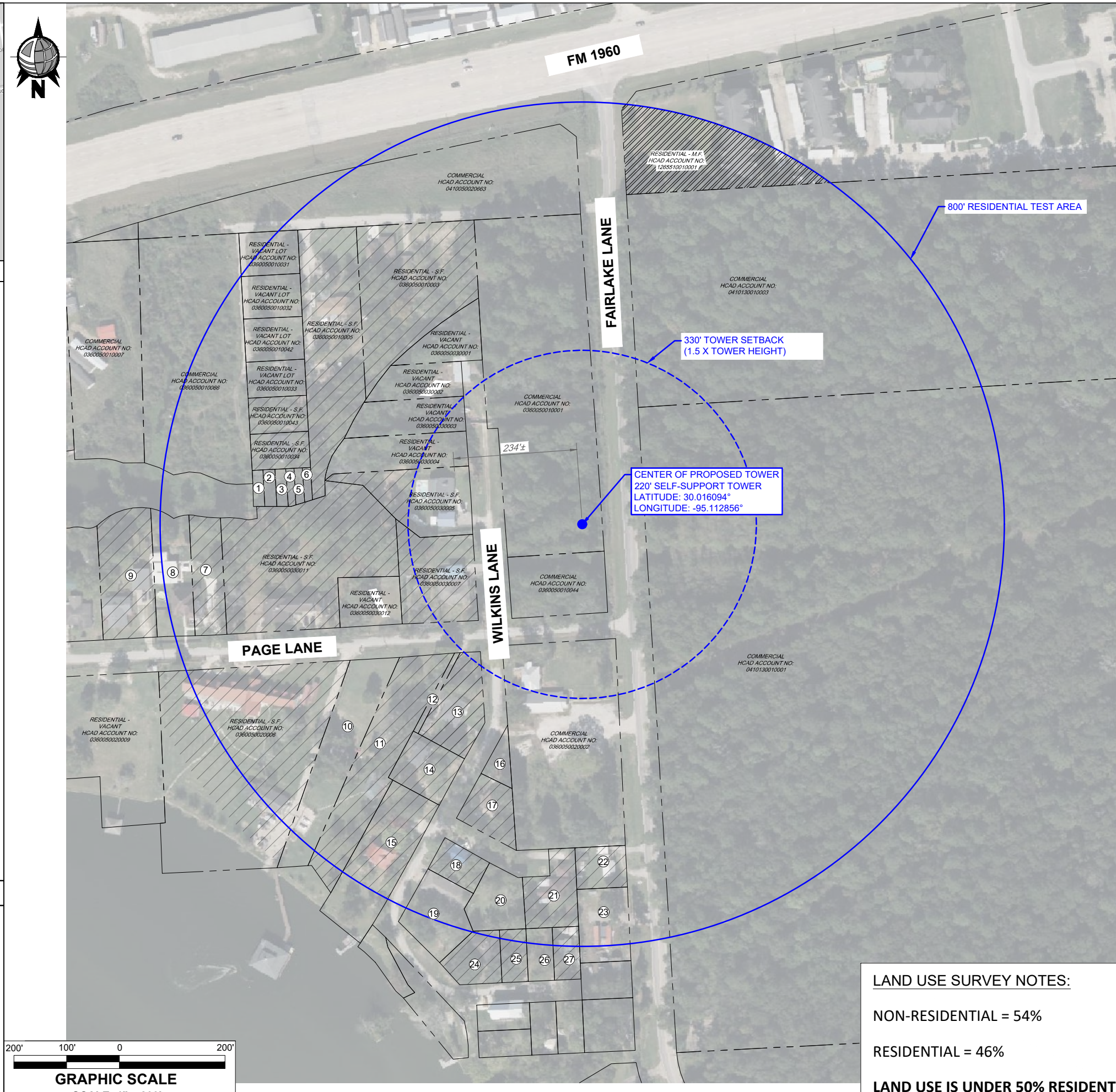


VICINITY MAP (N.T.S.)

INFORMATION TABLE		
#	HCAD ACCOUNT NO	DESIGNATION
1	0360050010036	RESIDENTIAL - VACANT
2	0360050010037	RESIDENTIAL - VACANT
3	0360050010038	RESIDENTIAL - VACANT
4	0360050010043	RESIDENTIAL - S.F.
5	0360050010035	RESIDENTIAL - VACANT
6	0360050010006	RESIDENTIAL - VACANT
7	0360050010023	RESIDENTIAL - S.F.
8	0360050010025	RESIDENTIAL - VACANT
9	0360050010022	RESIDENTIAL - S.F.
10	0360050020005	RESIDENTIAL - AUX. BUILDING
11	0360050020003	RESIDENTIAL - S.F.
12	0360050020007	RESIDENTIAL - VACANT
13	0861610000001	RESIDENTIAL - S.F.
14	0861610000035	RESIDENTIAL - S.F.
15	0861610000009	RESIDENTIAL - S.F.
16	0861610000010	COMMERCIAL
17	0861610000011	RESIDENTIAL - S.F.
18	0861610000013	RESIDENTIAL - S.F.
19	0861610000015	RESIDENTIAL - S.F.
20	0861610000017	RESIDENTIAL - VACANT
21	0861610000018	RESIDENTIAL - S.F.
22	0360050020062	RESIDENTIAL - S.F.
23	0360050020063	RESIDENTIAL - VACANT
24	0861610000021	RESIDENTIAL - S.F.
25	0861610000022	RESIDENTIAL - S.F.
26	0861610000023	RESIDENTIAL - VACANT
27	0861610000024	RESIDENTIAL - S.F.

LEGEND

- RESIDENTIAL - SINGLE FAMILY (S.F.)
- RESIDENTIAL - MULTI-FAMILY (M.F.)
- COMMERCIAL
- RESIDENTIAL TEST AREA
- TOWER SETBACK
- CENTER OF PROPOSED TOWER
- HCAD PARCELS



LAND USE SURVEY NOTES:
 NON-RESIDENTIAL = 54%
 RESIDENTIAL = 46%
LAND USE IS UNDER 50% RESIDENTIAL

SURVEY PREPARED FOR:
verticalbridge
 VB BTS II, LLC
 750 PARK OF COMMERCE DR,
 SUITE 200
 BOCA RATON, FL 33487
 PHONE: (561) 948-6367

SURVEY PREPARED BY:

3D DESIGN & ENGINEERING INC.
DEPARTMENT OF SURVEYING
 21502 E WINTER VIOLET CT
 CYPRESS, TX. 77433
 PHONE: 832-510-9621
 www.3ddne.com
 INFO@3DDNE.COM
 TEXAS REGISTRATION NO. 10194603

REV	DATE	DESCRIPTION	BY

300' RADIAL SURVEY
VERTICAL BRIDGE - TEXAS AREA
E LAKE HOUSTON PKWY
 23705 2/3 FAIRLAKE LANE
 HUFFMAN, TX 77336
 SITE ID: US-TX-6195 / E LAKE HOUSTON PKWY

FOR PRELIMINARY REVIEW ONLY.
 SURVEY SHALL NOT BE USED FOR
 RECORDING, PLATTING,
 CONSTRUCTION OR PERMITTING
 PURPOSES.

DRAWN BY: PDM
 CHECKED BY: HL
 DATE: 2/19/2024

SHEET 1 OF 1
 SURVEY NOT VALID
 WITHOUT ALL SHEETS

SITE LAYOUT NOTES:
 VERTICAL BRIDGE LEASE AREA = 5,625 SQ.FT.
 VERIZON LEASE AREA = 330 SQ.FT.
 VERTICAL BRIDGE FENCED AREA = 284' INCLUDING 12' GATE.
 VERTICAL BRIDGE PAVED AREA = 6372 SQ. FT. TOTAL
 1347 SQ. FT. ACCESS DRIVE
 5025 SQ. FT. SITE
 UNDERGROUND POWER = 50'± (25'± EA. RUN) FROM POWER SOURCE TO VERTICAL BRIDGE UTILITY RACK. 80'± FROM UTILITY RACK TO VERIZON ILC.
 UNDERGROUND FIBER = 50'± FOR VERTICAL BRIDGE FIBER CONDUIT FROM RACK TO ROW STUB UP; 110'± FROM ROW TO VERIZON FIBER DEMARC (55'± PER RUN)
 VERTICAL BRIDGE TOWER = NEW 220' SELF-SUPPORT TOWER (221' A.G.L. WITH 1' FOR TOWER FOUNDATION)
 PROPOSED VERIZON ANTENNA RAD CENTER = 215'
 PROPOSED VERIZON EQUIPMENT = OUTDOOR EQUIPMENT CABINETS & OUTDOOR DIESEL FUELED GENERATOR ON A CONCRETE PAD.

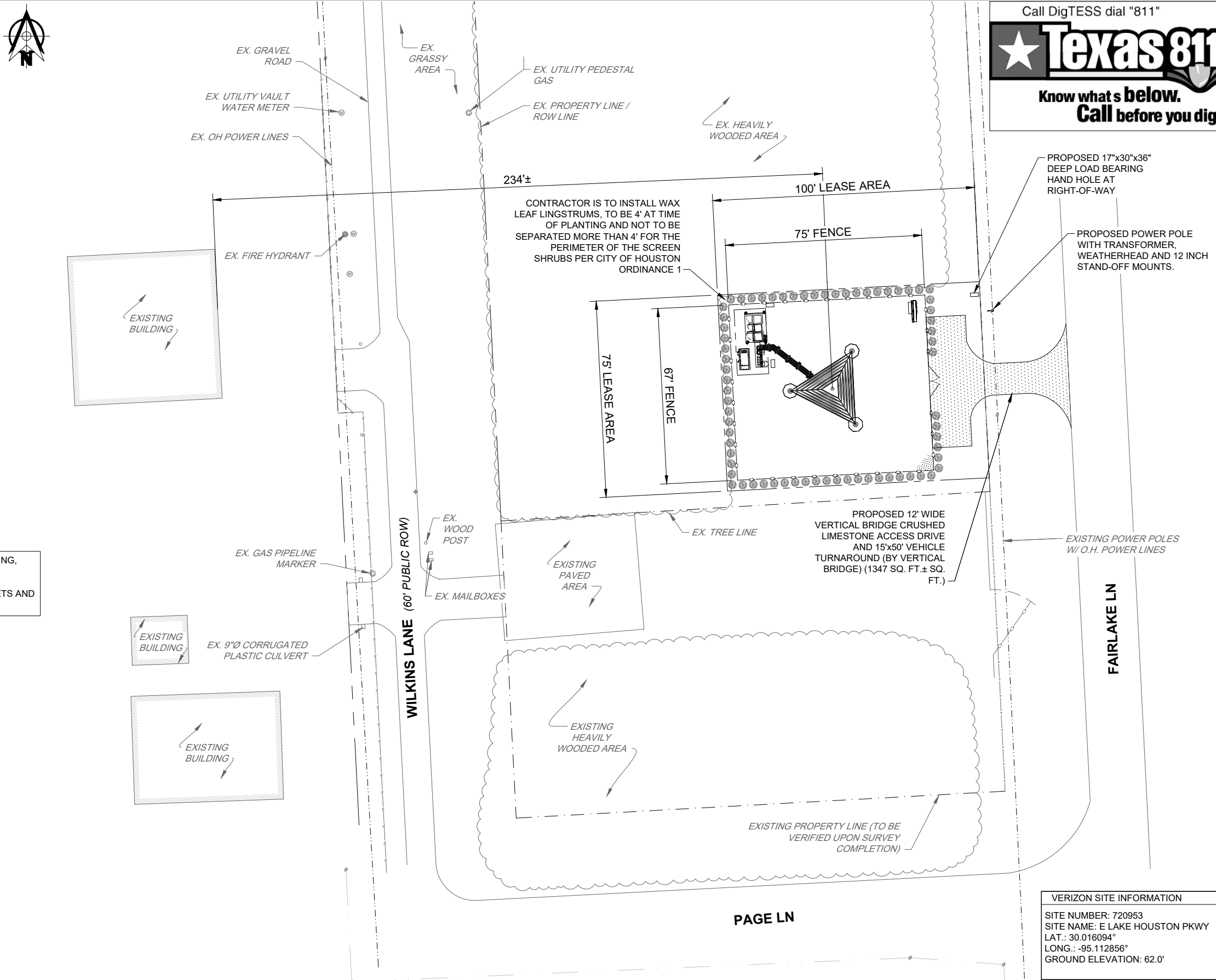
FLOOD NOTE:
 ACCORDING TO MAP NO. 48201C0340L OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAPS FOR MONTGOMERY COUNTY, TEXAS, EFFECTIVE DATE JUNE 18, 2007 THE SUBJECT TRACT IS SITUATED WITHIN: UN-SHADED ZONE "X"; DEFINED AS AREAS OUTSIDE THE 500-YEAR FLOOD;

50KW GENERATOR PROVIDES 200 AMPS AT 120/240V.

GENERATOR MUST HAVE REMOTE EMERGENCY STOP SWITCH TO SHUT DOWN THE PRIME MOVER.

VERIZON EQUIPMENT FOUNDATIONS, CONDUIT PLUMBING, AND GROUND RING BY VERTICAL BRIDGE.
 VERIZON EQUIPMENT RACK, AWNING, GROUND CABINETS AND ANTENNA ARRAY BY VERIZON GC

NOTE:
 THIS PLAN IS SHOWN TO CLARIFY THE RELATIONSHIP OF PROPOSED LESSEE WORK TO OVERALL SITE ONLY.
 REFER TO SURVEY BY: 3D DESIGN & ENGINEERING FOR COMPLETE SITE INFORMATION.



Call DigTESS dial "811"
Texas 811
 Know what's below.
 Call before you dig.

verticalbridge
 THE TOWERS, LLC
 750 PARK OF COMMERCE DR,
 SUITE 200
 BOCA RATON, FL 33487
 PHONE: (561) 948-6367

verizon
 14123 CICERO ROAD
 HOUSTON, TX 77095
 PHONE: (713) 507-1650
 FAX: (713) 507-1618

3DD&E
 3D DESIGN & ENGINEERING INC.
 CIVIL, STRUCTURAL & GEOTECHNICAL ENGINEERING
 21502 E WINTER VIOLET CT
 CYPRESS, TX, 77433
 PHONE: 832-510-9621
 www.3ddne.com
 INFO@3DDNE.COM
 FIRM# F-13381

REVISIONS	BY

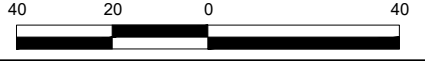
OVERALL SITE PLAN
VERTICAL BRIDGE - TEXAS AREA
E LAKE HOUSTON PKWY
 23705 2/3 FAIRLAKE LANE
 HUFFMAN, TEXAS 77336
 (US-TX-6195)

VERIZON SITE INFORMATION
 SITE NUMBER: 720953
 SITE NAME: E LAKE HOUSTON PKWY
 LAT.: 30.016094°
 LONG.: -95.112856°
 GROUND ELEVATION: 62.0'

CONTRACTOR NOTE:
 CONSTRUCTION CONTRACTOR SHALL CONTACT 3D DESIGN & ENGINEERING TO RE-STAKE SITE, FENCE LINE & TOWER CENTER PRIOR TO STARTING WORK.

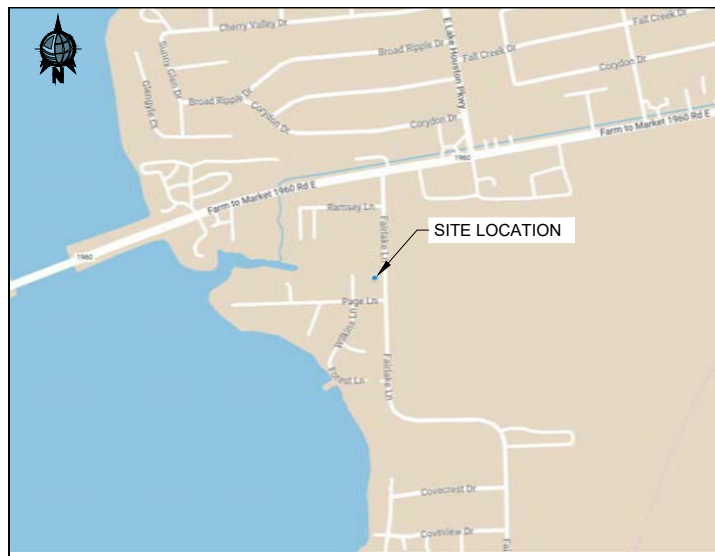
DRAWN BY: CG
 CHECKED BY: NM
 DATE: 02-19-2024

SHEET #: C.1
 REV. #

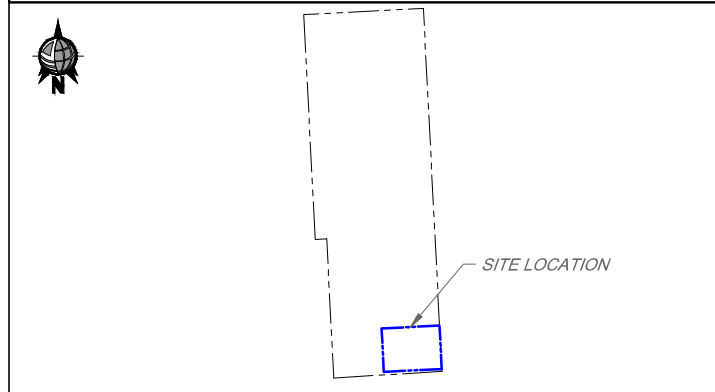


SCALE: 1" = 40'-0"

PRELIMINARY
 FOR REVIEW
 PURPOSES ONLY



VICINITY MAP (N.T.S.)



PROPERTY & ADJOINER MAP (N.T.S.)

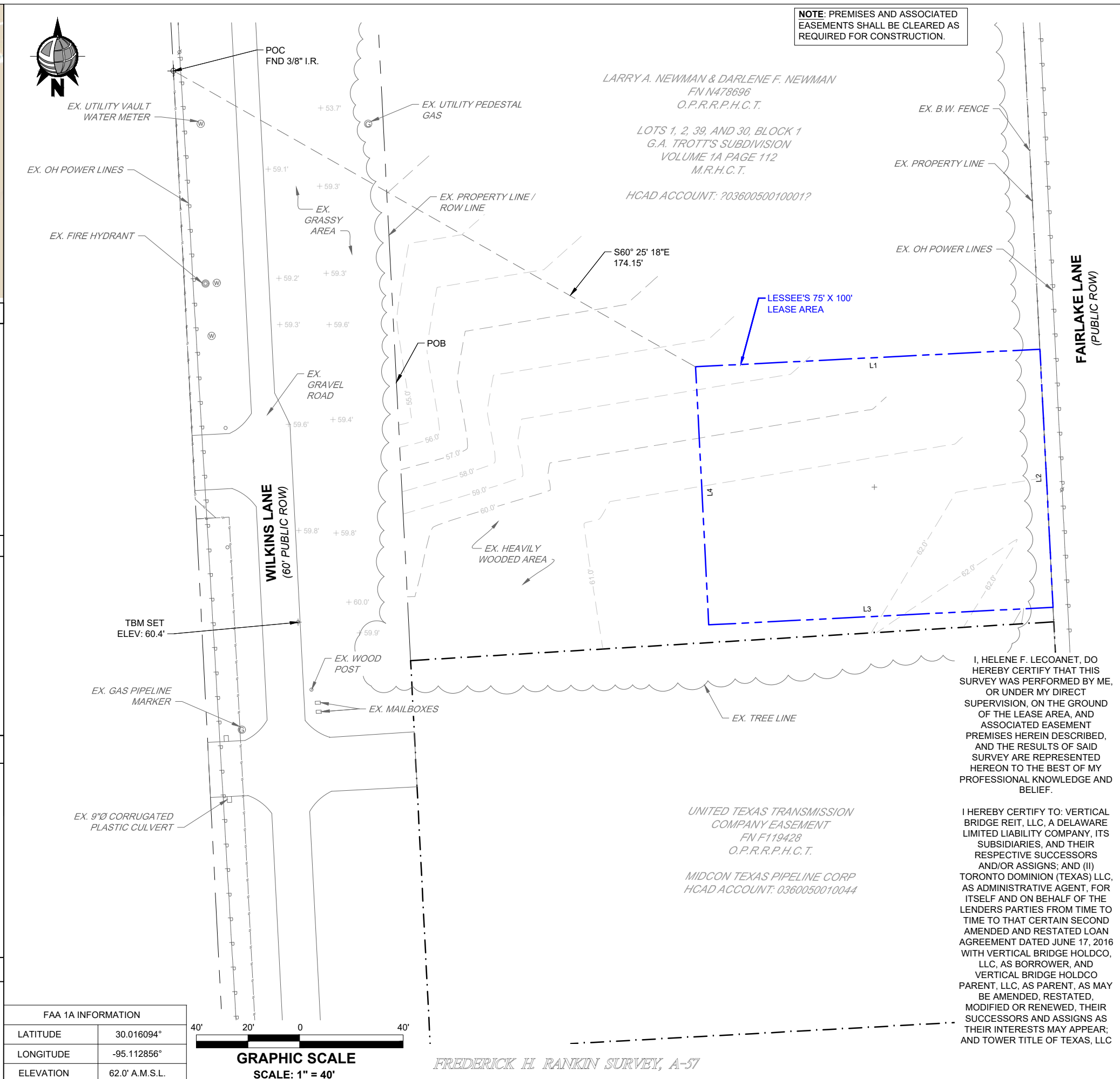
LINE TABLE		
LINE #	DISTANCE	BEARING
L1	100.00'	N87° 04' 52"E
L2	75.00'	S02° 55' 08"E
L3	100.00'	S87° 04' 52"W
L4	75.00'	N02° 55' 08"W

ABBREVIATIONS

A.M.S.L.	AVERAGE MEAN SEA LEVEL
A.E.	ACCESS EASEMENT
B.L.	BUILDING LINE
B.W.	BARBED WIRE
C.L.	CHAINLINK
D.E.	DRAINAGE EASEMENT
EX.	EXISTING
FN	FILE NUMBER
FND	FOUND
I.P.	IRON PIPE
I.R.	IRON ROD
M.R.H.C.T.	MAP RECORDS OF HARRIS COUNTY, TEXAS
O.P.R.R.P.H.C.T.	OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
OH	OVERHEAD
ROW	RIGHT-OF-WAY
STM.S.E.	STORM SEWER EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
TBM	TEMPORARY BENCHMARK
TYP	TYPICAL
U.E.	UTILITY EASEMENT
W.L.E.	WATER LINE EASEMENT

LEGEND

	LESSEE'S LEASE AREA		EX. EASEMENT
	LESSEE'S EASEMENT		EX. PROPERTY LINE
	EX. WROUGHT IRON FENCE		EX. OH POWER LINES
	EX. B.W. FENCE		EX. UTILITY POLE
	EX. WOOD FENCE		EX. TELCO PEDESTAL
	EX. HIGH BANK		EX. MANHOLE



NOTE: PREMISES AND ASSOCIATED EASEMENTS SHALL BE CLEARED AS REQUIRED FOR CONSTRUCTION.

LARRY A. NEWMAN & DARLENE F. NEWMAN
FN N478696
O.P.R.R.P.H.C.T.

LOTS 1, 2, 39, AND 30, BLOCK 1
G.A. TROTT'S SUBDIVISION
VOLUME 1A PAGE 112
M.R.H.C.T.

HCAD ACCOUNT: 20360050010001?

S60° 25' 18"E
174.15'

LESSEE'S 75' X 100'
LEASE AREA

WILKINS LANE
(60' PUBLIC ROW)

FAIRLAKE LANE
(PUBLIC ROW)

TBM SET
ELEV: 60.4'

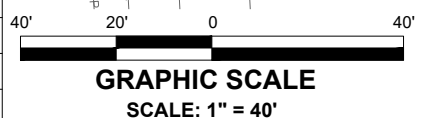
I, HELENE F. LECOANET, DO HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED BY ME, OR UNDER MY DIRECT SUPERVISION, ON THE GROUND OF THE LEASE AREA, AND ASSOCIATED EASEMENT PREMISES HEREIN DESCRIBED, AND THE RESULTS OF SAID SURVEY ARE REPRESENTED HEREON TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

UNITED TEXAS TRANSMISSION
COMPANY EASEMENT
FN F119428
O.P.R.R.P.H.C.T.

MIDCON TEXAS PIPELINE CORP
HCAD ACCOUNT: 0360050010044

I HEREBY CERTIFY TO: VERTICAL BRIDGE REIT, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ITS SUBSIDIARIES, AND THEIR RESPECTIVE SUCCESSORS AND/OR ASSIGNS; AND (II) TORONTO DOMINION (TEXAS) LLC, AS ADMINISTRATIVE AGENT, FOR ITSELF AND ON BEHALF OF THE LENDERS PARTIES FROM TIME TO TIME TO THAT CERTAIN SECOND AMENDED AND RESTATED LOAN AGREEMENT DATED JUNE 17, 2016 WITH VERTICAL BRIDGE HOLDCO, LLC, AS BORROWER, AND VERTICAL BRIDGE HOLDCO PARENT, LLC, AS PARENT, AS MAY BE AMENDED, RESTATED, MODIFIED OR RENEWED, THEIR SUCCESSORS AND ASSIGNS AS THEIR INTERESTS MAY APPEAR; AND TOWER TITLE OF TEXAS, LLC

FAA 1A INFORMATION	
LATITUDE	30.016094°
LONGITUDE	-95.112856°
ELEVATION	62.0' A.M.S.L.



FREDERICK H. RANKIN SURVEY, A-57

SURVEY PREPARED FOR:

verticalbridge

THE TOWERS, LLC
750 PARK OF COMMERCE DR.
SUITE 200
BOCA RATON, FL 33487
PHONE: (561) 948-6367

SURVEY PREPARED BY:

3DD&E

3D DESIGN & ENGINEERING INC.
DEPARTMENT OF SURVEYING
21502 E WINTER VIOLET CT
CYPRESS, TX, 77433
PHONE: 832-510-9621
www.3ddne.com
INFO@3DDNE.COM
TEXAS REGISTRATION NO. 10194603

REV	DATE	DESCRIPTION	BY

SITE EXHIBIT AND DESCRIPTION

VERTICAL BRIDGE - TEXAS AREA
E LAKE HOUSTON PKWY

WILKINS LANE
HUFFMAN, TX, 77336
SITE ID: US-TX-6195 / E LAKE HOUSTON PKWY

FOR PRELIMINARY REVIEW ONLY. SURVEY SHALL NOT BE USED FOR RECORDING, PLATTING, CONSTRUCTION OR PERMITTING PURPOSES.

DRAWN BY: MAV

CHECKED BY: HL

DATE: 2/19/2024

SHEET 1 OF 2

SURVEY NOT VALID WITHOUT ALL SHEETS

EQUIPMENT LIST:

- ① PRIMARY CABINET
- ② BATTERY CABINET
- ③ FUTURE CABINET
- ④ OVP-12 CIRCUITS (+1 FUTURE OVP)
- ⑤ RESERVED SPACE FOR FUTURE RADIOS
- ⑥ 2' WIDE ICE BRIDGE
- ⑦ ILC CABINET (WITH CAMLOCK IF NEEDED)
- ⑧ METER & DISCONNECT
- ⑨ DARK FIBER JUNCTION BOX (2'x2' MIN.) (WITH RESERVED SPACE FOR FUTURE CHARLES CABINET)
- ⑩ DIESEL FUELED GENERATOR
- ⑪ GPS ANTENNA (MOUNTED ON POST)
- ⑫ EQUIPMENT CANOPY

CONTRACTOR NOTE:

CONSTRUCTION CONTRACTOR SHALL CONTACT 3D DESIGN & ENGINEERING TO RE-STAKE SITE, FENCE LINE & TOWER CENTER PRIOR TO STARTING WORK.

EXISTING UNDERGROUND UTILITIES ARE NOT SHOWN. CONTRACTOR IS TO LOCATE AND PROTECT EXISTING UNDERGROUND UTILITIES DURING CONSTRUCTION.

NOTE:

1. CONTRACTOR IS TO REPAIR ALL DAMAGE RESULTING FROM CONSTRUCTION BACK TO PRE-CONSTRUCTION CONDITION AT COMPLETION OF WORK.
2. CONTRACTOR SHALL COORDINATE SITE ACCESS TIMES AND EQUIPMENT STAGING LOCATIONS WITH LANDLORD.
3. ICE BRIDGE LENGTH SHOWN IS RELATIVE. LENGTH AND EXACT ALIGNMENT WITH FOUNDATION MAY VARY FROM DRAWING DIMENSIONS. ICE BRIDGE WILL APPROACH TOWER AS SHOWN.
4. TOWER IS TO BE SET ON IDENTIFIED CENTER POINT.

VERIZON EQUIPMENT FOUNDATIONS, CONDUIT PLUMBING, AND GROUND RING BY VERTICAL BRIDGE.

VERIZON EQUIPMENT RACK, AWNING, GROUND CABINETS AND ANTENNA ARRAY BY VERIZON GC

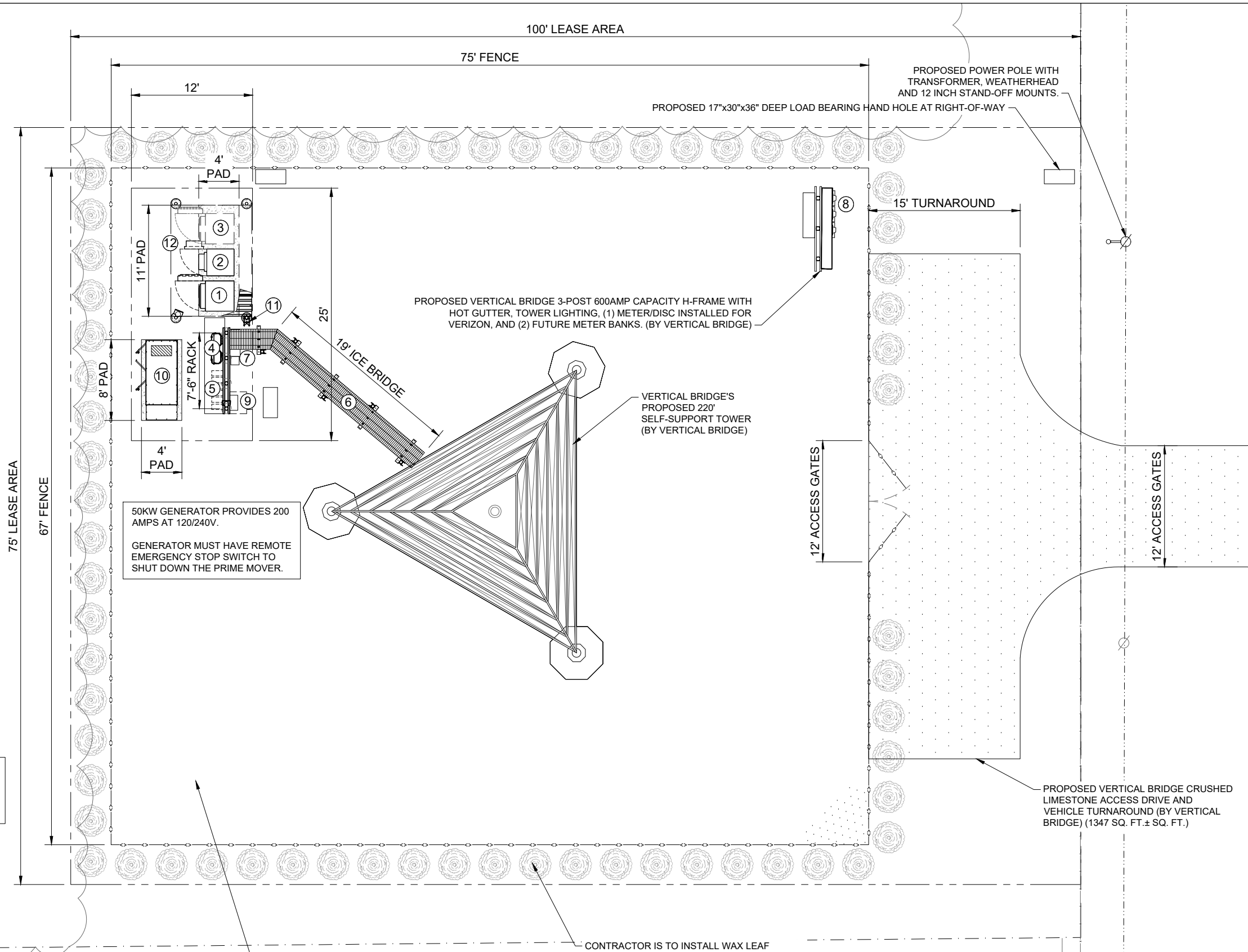
Call DigTESS dial "811"



**Know what's below.
Call before you dig.**

FLOOD NOTE:

ACCORDING TO MAP NO. 48201C0340L OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAPS FOR MONTGOMERY COUNTY, TEXAS, EFFECTIVE DATE JUNE 18, 2007 THE SUBJECT TRACT IS SITUATED WITHIN: UN-SHADED ZONE "X"; DEFINED AS AREAS OUTSIDE THE 500-YEAR FLOOD;



50KW GENERATOR PROVIDES 200 AMPS AT 120/240V.
GENERATOR MUST HAVE REMOTE EMERGENCY STOP SWITCH TO SHUT DOWN THE PRIME MOVER.

PROPOSED VERTICAL BRIDGE 3-POST 600AMP CAPACITY H-FRAME WITH HOT GUTTER, TOWER LIGHTING, (1) METER/DISC INSTALLED FOR VERIZON, AND (2) FUTURE METER BANKS. (BY VERTICAL BRIDGE)

VERTICAL BRIDGE'S PROPOSED 220' SELF-SUPPORT TOWER (BY VERTICAL BRIDGE)

PROPOSED POWER POLE WITH TRANSFORMER, WEATHERHEAD AND 12 INCH STAND-OFF MOUNTS.

PROPOSED 17"x30"x36" DEEP LOAD BEARING HAND HOLE AT RIGHT-OF-WAY

PROPOSED VERTICAL BRIDGE CRUSHED LIMESTONE ACCESS DRIVE AND VEHICLE TURNAROUND (BY VERTICAL BRIDGE) (1347 SQ. FT.± SQ. FT.)

VERTICAL BRIDGE'S COMPOUND PAVED WITH CRUSHED LIMESTONE TO 95% PROCTOR (5025 SQ. FT. SQ. FT.) (BY VERTICAL BRIDGE)

CONTRACTOR IS TO INSTALL WAX LEAF LINGSTRUMS, TO BE 4' AT TIME OF PLANTING AND NOT TO BE SEPARATED MORE THAN 4' FOR THE PERIMETER OF THE SCREEN SHRUBS PER CITY OF HOUSTON ORDINANCE 1



THE TOWERS, LLC
750 PARK OF COMMERCE DR,
SUITE 200
BOCA RATON, FL 33487
PHONE: (561) 948-6367



14123 CICERO ROAD
HOUSTON, TX 77095
PHONE: (713) 507-1650
FAX: (713) 507-1618



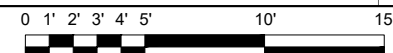
REVISIONS	BY

ENLARGED SITE PLAN
VERTICAL BRIDGE - TEXAS AREA
E LAKE HOUSTON PKWY
23705 2/3 FAIRLAKE LANE
HUFFMAN, TEXAS 77336
(US-TX-6195)

PRELIMINARY
FOR REVIEW
PURPOSES ONLY

DRAWN BY:	CG
CHECKED BY:	NM
DATE:	02-19-2024
SHEET #:	REV. #

C.2



SCALE: 1/8" = 1'-0"

PROPOSED TOWER LOADING:
 (6) NEW NHH-65C-R2B ANTENNAS
 (3) NEW MT6407-77A ANTENNAS
 (3) NEW B5/B13 RRH ORAN (RF4440D-13A) RADIOHEADS
 (3) NEW B2/B66A RRH ORAN (RF4439D-25A) RADIOHEADS
 (1) NEW 12 CIRCUIT OVP

CABLE & LENGTHS:
 COAX: N/A
 (1) 12x24 HYBRID CABLE: 250'±

COMPONENTS PARTS LIST:
 ANTENNA MOUNTS:
 COMMSCOPE MTC3752T3 GEN 2 MOUNT
 RRH & RAYCAP MOUNTING HARDWARE:
 ATTACHED TO MTC3752T3 GEN 2 MOUNT
 HYBRID CABLE MOUNTS:
 (1) 12x24 HYBRID CABLE TO BE RAN ALONG
 CABLE LADDER (250'±)

NOTE:
 1. CABLES SHOULD BE ORIENTED TO RUN INSIDE OF TOWER TO PROVIDE AS MUCH PROTECTION AS POSSIBLE AND MINIMIZE WIND EXPOSURE.
 2. NOTE: IF TOWER LEG IS LARGER THAN 6" IN DIAMETER, "UNIVERSAL ROUND MEMBER SUPPORT BRACKET" BY SITEPRO1 FLUSH MOUNTED @ 30" O.C. MAX. IS AN ACCEPTABLE ALTERNATIVE.

verticalbridge

THE TOWERS, LLC
 750 PARK OF COMMERCE DR,
 SUITE 200
 BOCA RATON, FL 33487
 PHONE: (561) 948-6367

verizon

14123 CICERO ROAD
 HOUSTON, TX 77095
 PHONE: (713) 507-1650
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3D DESIGN & ENGINEERING INC.
 CIVIL STRUCTURAL & GEOTECHNICAL ENGINEERING
 21502 E WINTER VIOLET CT
 CYPRESS, TX. 77433
 PHONE: 832-510-9621
 www.3ddne.com
 INFO@3DDNE.COM
 FIRM# F-13381

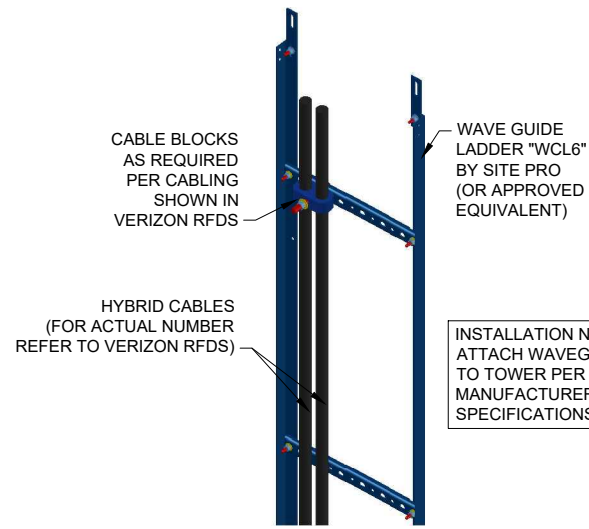
REVISIONS	BY

ANTENNA SPECIFICATIONS
VERTICAL BRIDGE - TEXAS AREA
E LAKE HOUSTON PKWY
 23705 2/3 FAIRLAKE LANE
 HUFFMAN, TEXAS 77336
 (US-TX-6195)

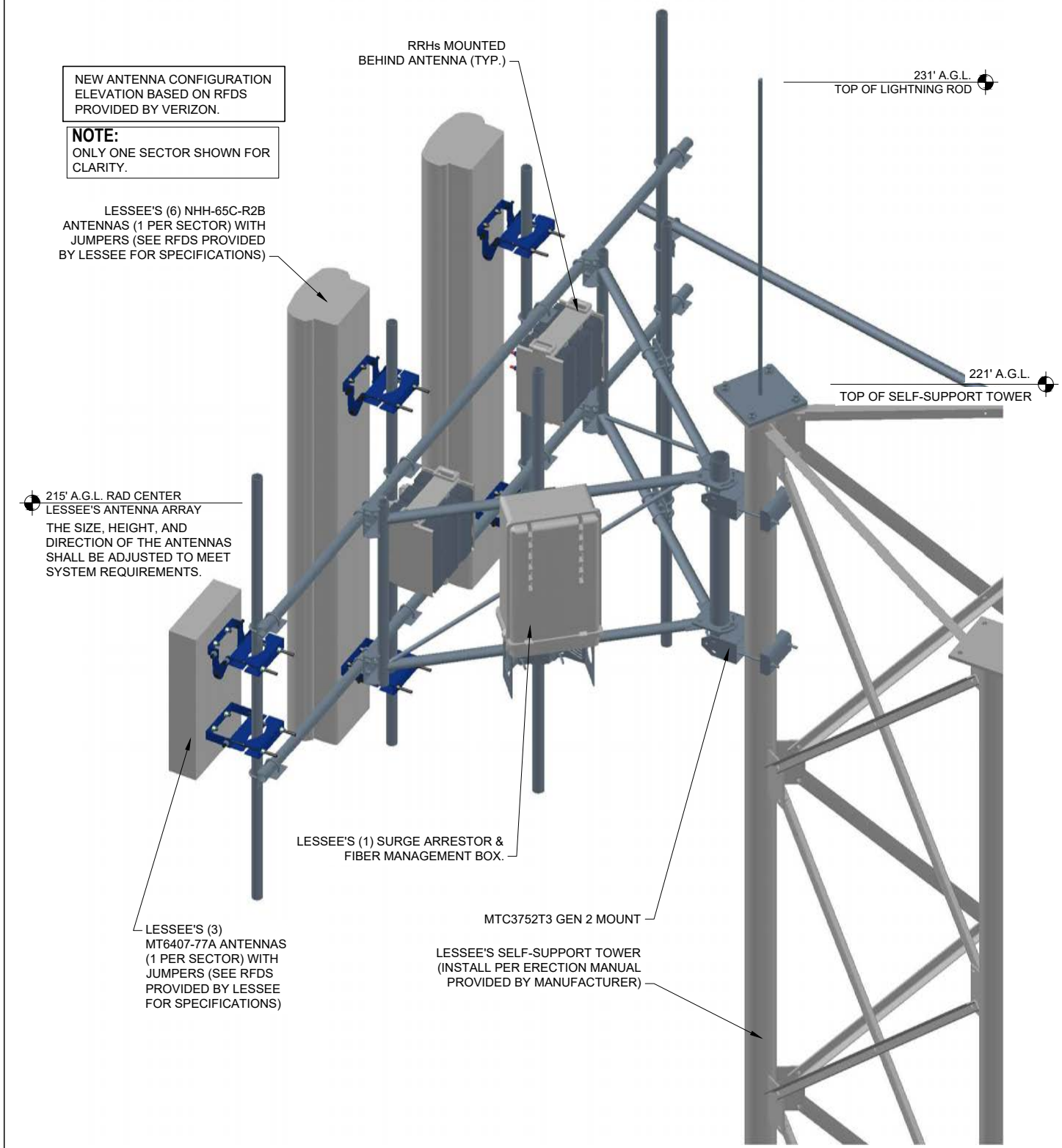
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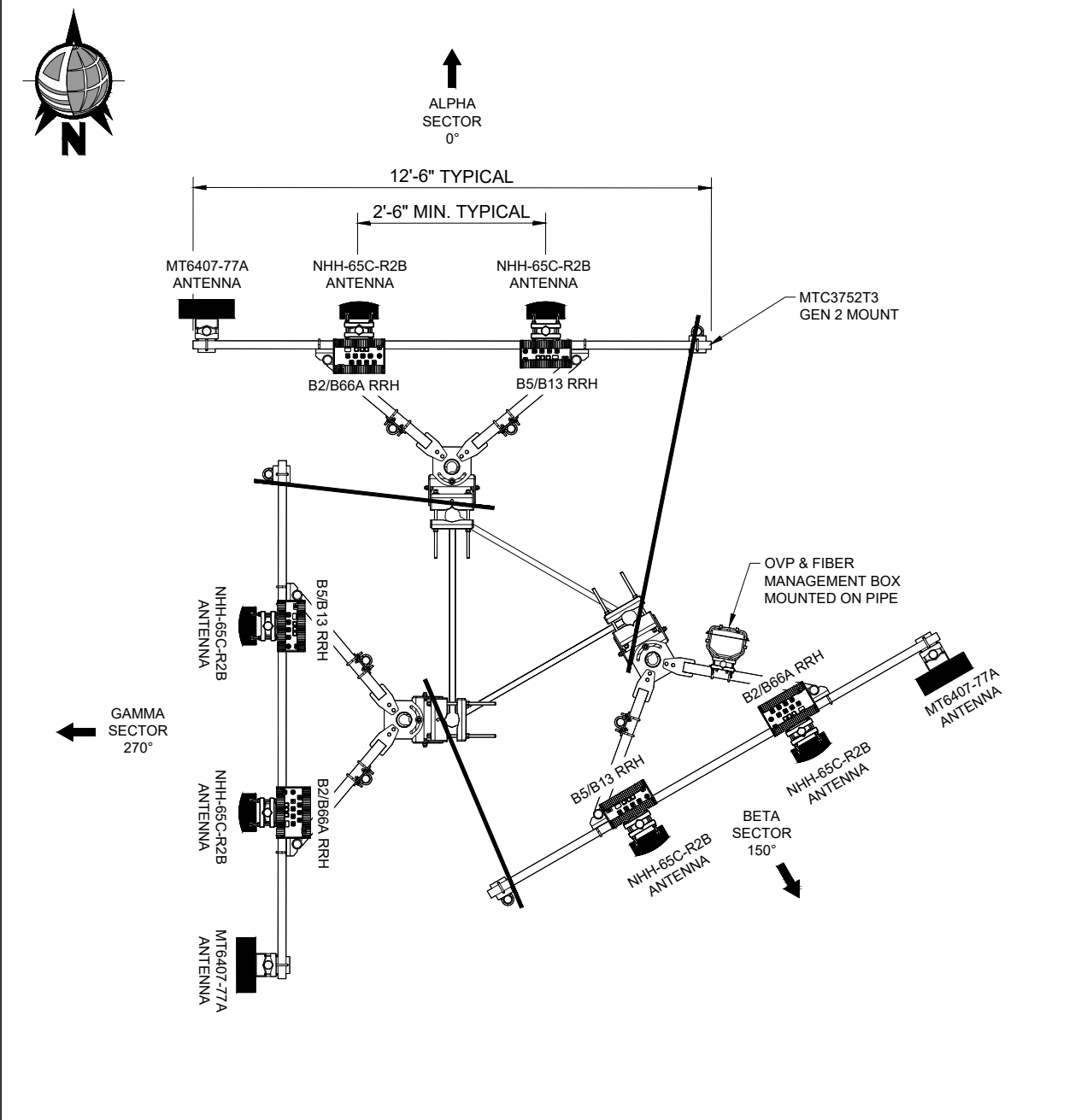
SHEET #: C.4 REV. #



2 WAVEGUIDE LADDER DETAIL SCALE: N.T.S.



1 ANTENNAS ARRAY PERSPECTIVE SCALE: N.T.S.



2 ANTENNAS ARRAY PLAN VIEW SCALE: N.T.S.

- NOTES:**
- CONTRACTOR IS TO REPAIR ALL DAMAGE RESULTING FROM CONSTRUCTION BACK TO PRE CONSTRUCTION CONDITION AT COMPLETION OF WORK.
 - CONTRACTOR SHALL COORDINATE SITE ACCESS TIMES AND EQUIPMENT STAGING LOCATIONS WITH LANDLORD.
 - CONTRACTOR SHALL VERIFY ALL WORK WITH LESSEE PRIOR TO STARTING PROJECT.
 - CONTRACTOR TO VERIFY ALL EXISTING EQUIPMENT, COAX & ANTENNAS THAT ARE INSTALLED PRIOR TO START OF CONSTRUCTION. NOTIFY RF IF SCOPE OF WORK DIFFERS FROM VERIZON RFDS.

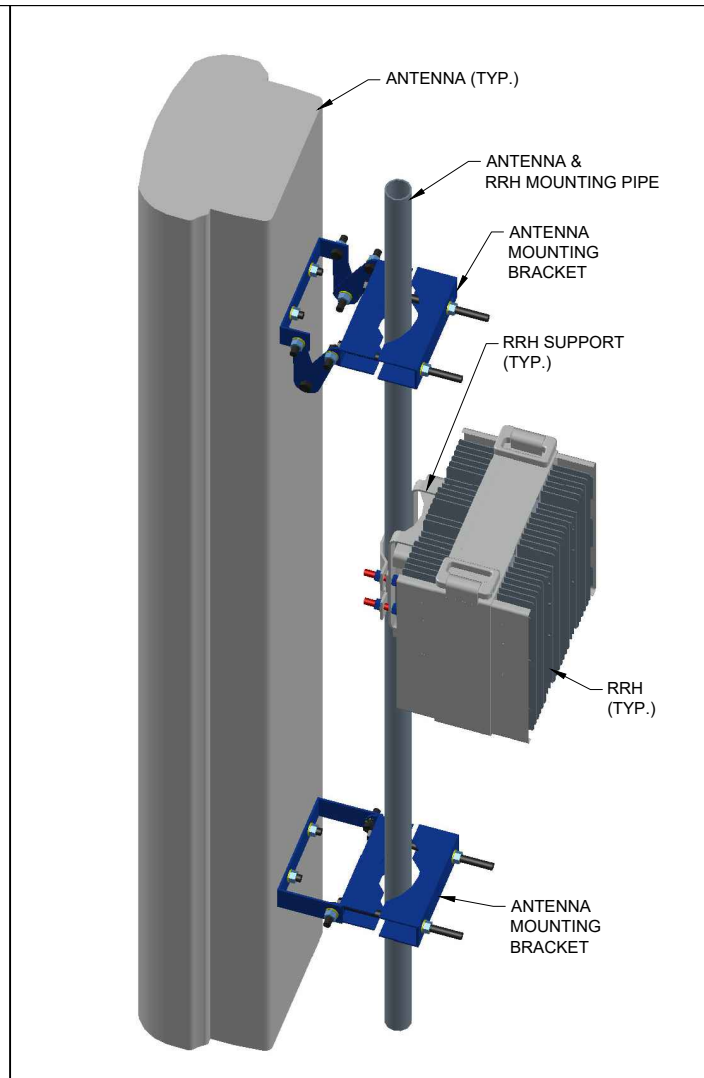
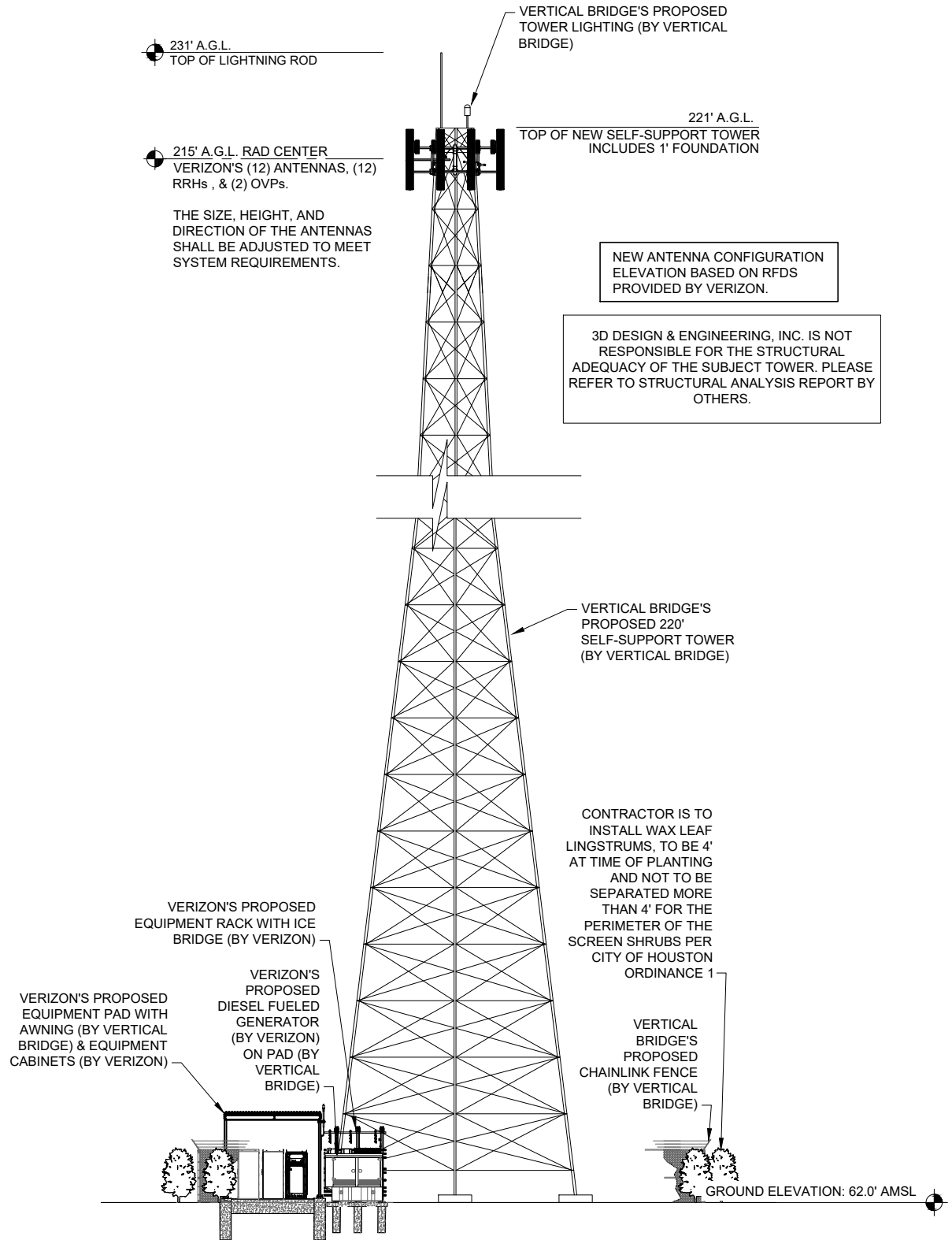
- PROPOSED TOWER LOADING:**
- (6) NEW NHH-65C-R2B ANTENNAS
 - (3) NEW MT6407-77A ANTENNAS
 - (3) NEW B5/B13 RRH ORAN (RF4440D-13A) RADIOHEADS
 - (3) NEW B2/B66A RRH ORAN (RF4439D-25A) RADIOHEADS
 - (1) NEW 12 CIRCUIT OVP
- CABLE & LENGTHS:**
- COAX: N/A
 - (1) 12x24 HYBRID CABLE: 250'±

- ANTENNA INSTALLATION NOTES:**
- FOR TYPICAL ANTENNA AZIMUTHS SEE ANTENNA CHART, BUT CONTRACTOR IS TO VERIFY RF INFORMATION WITH VERIZON WIRELESS BEFORE INSTALLATION.
 - CABLES ARE TO BE MARKED WITH VINYL TAPE CORRESPONDING TO THE COLOR CODING CHART. CABLES SHALL BE MARKED AT BOTH ENDS AND MARKS SHALL BE VISIBLE FROM THE GROUND. MARKING BANDS AT THE TOP SHALL BE 2" WIDE AND SHALL BE 1" WIDE AT THE BOTTOM.
 - CONTRACTOR SHALL VERIFY THE NUMBER AND SPACING REQUIRED FOR THE ANTENNAS IN EACH SECTOR WITH VERIZON WIRELESS AND SHALL ALLOW FUTURE SPACING AS DIRECTED.
 - GPS ANTENNA CABLE SHALL ENTER THE SHELTER THROUGH AN INDEPENDENT PORT.

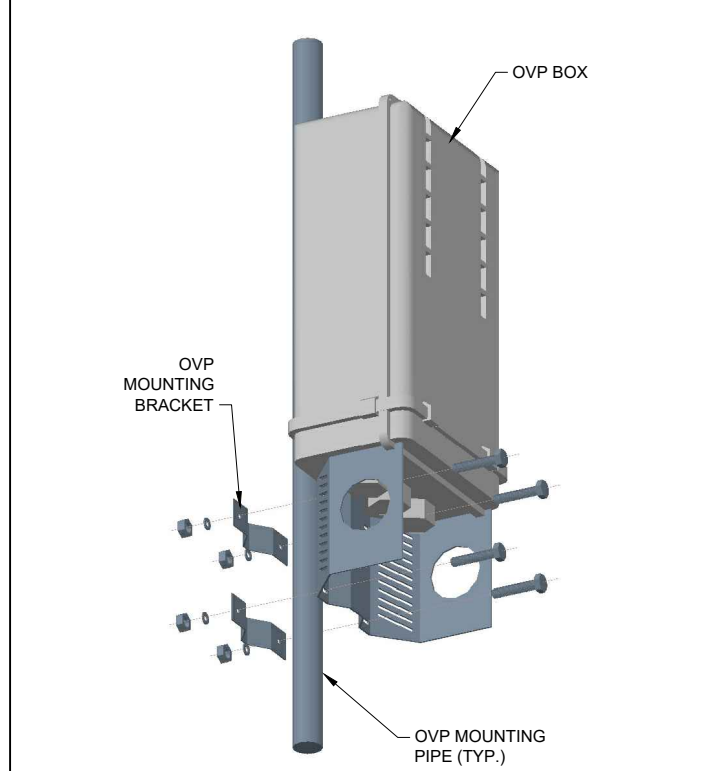
- COAX JUMPER NOTES:**
- MAXIMUM RF JUMPER LENGTH SHALL NOT EXCEED 15' FOR EITHER 700 LTE OR 1900 AWS.
 - IF EXISTING JUMPERS ARE USED, CONTRACTOR SHALL ENSURE COMPLIANCE WITH NOTE 1.
 - CONSULT WITH VERIZON PERSONNEL TO VERIFY IF CSRF IS TO BE USED.
 - THE MAXIMUM DIFFERENCE IN JUMPER LENGTH FROM ANTENNA TO RRH SHALL BE 9'. I.E., IF THE SHORTEST JUMPER USED IS 6' IN LENGTH THAN THE LONGEST JUMPER MUST BE 15' OR LESS IN LENGTH. CONTRACTOR SHALL ASSESS FIELD CONDITIONS AND ADJUST JUMPER LENGTH ACCORDINGLY.
 - ALL RF JUMPERS SHALL BE PRE-MADE WITH PRE-INSTALLED CONNECTORS ON BOTH ENDS. NO FIELD ADJUSTMENTS IN LENGTH ARE TO BE MADE.
 - ALL RF JUMPERS SHALL BE EITHER LDF OR LCF12 JUMPERS FROM AN APPROVED JUMPER MANUFACTURER.
 - ALL JUMPER CONNECTIONS SHALL HAVE THE PROPER TORQUE AND BE FULLY WEATHERPROOFED.
 - CONTRACTOR SHALL PERFORM RF SWEEP ON ALL JUMPERS.
 - ALL FIBER JUMPERS FROM THE RAYCAP BOX TO THE RRH SHALL BE THE SAME LENGTH. ANY EXCESS FIBER TO BE COILED INSIDE THE RAYCAP BOX USING PROPER RADIUS RESTRICTIONS.
 - ALL JUMPERS SHALL BE ROUTED SUCH THAT THESE WILL BE SUPPORTED AT INTERVALS NOT TO EXCEED 3'.
 - LOCATION DETAILS IN THESE DRAWINGS ARE DIAGRAMMATIC. CONTRACTOR SHALL LOCATE ALL ITEMS SUCH AS TO SATISFY ALL NOTES AND THE DIRECTION OF VERIZON.

VERIZON EQUIPMENT FOUNDATIONS, CONDUIT PLUMBING, AND GROUND RING BY VERTICAL BRIDGE.

VERIZON EQUIPMENT RACK, AWNING, GROUND CABINETS AND ANTENNA ARRAY BY VERIZON GC



3 ANTENNA & RRH MOUNTING SCALE: N.T.S.



4 OVP MOUNTING SCALE: N.T.S.

verticalbridge

THE TOWERS, LLC
750 PARK OF COMMERCE DR,
SUITE 200
BOCA RATON, FL 33487
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INFO@3DDNE.COM
FIRM# F-13381

REVISIONS	BY

SITE ELEVATION

VERTICAL BRIDGE - TEXAS AREA
E LAKE HOUSTON PKWY
23705 2/3 FAIRLAKE LANE
HUFFMAN, TEXAS 77336
(US-TX-6195)

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FOR REVIEW
PURPOSES ONLY

DRAWN BY: CG
CHECKED BY: NM
DATE: 02-19-2024

SHEET #: **C.3** REV. #

1 NOTES

2 SITE ELEVATION SCALE: N.T.S.

4 OVP MOUNTING SCALE: N.T.S.

Tower Permit Waiver ApplicationDate: 11 / 13 / 23**APPLICANT INFORMATION:**Site address: 23705 2/3 Fairlake LaneTower Company: Vertical BridgeContact person: Becky Capt/JM Hodges Title: Site Acquisition SpecialistPhone: 817 /528-7875 FAX: / Email: becky@jmhodges.com

The waiver application request must be completed in full and include the appropriate studies, investigations, and colored coded maps. Applicants must provide 12 copies minimum of supporting documentation with the waiver application. A separate application is required for each waiver. Attach no more than 2 pages of waiver request details.

WAIVER REQUEST:

Specify City Code reference and standard subject to waiver: Article XV1. Sec 28-524 G

Reason for waiver: Fall radius.

WAIVER JUSTIFICATION:

Following a public hearing, the Tower Commission is authorized to consider and grant a waiver according to the five provisions delineated in Chapter 41, Article III, Section 41-59. Provide an attachment to this form repeating the following conditions with a response for justification of the waiver for each of the by showing that:

1. *a literal application of this article will result in undue and unnecessary hardship to the applicant, taking into account any federal or state licenses the applicant may have received to conduct its business because...;*
2. *the waiver, if granted, will not be contrary to the public interest as implemented in this article because...;*
3. *consistent with the city's police power authority over towers, the waiver, if granted, will not be detrimental to the public health, safety, or welfare because...;*
4. *the waiver, if granted, will not result in a violation of any other applicable ordinance, regulation or statute enforceable by the city because...; and*
5. *the waiver, if granted, will not result in the violation of any applicable deed restriction or zoning regulation or the location of a tower in a park because....*

Tower permit applications that do not comply with Section 41-53(h) regarding the 1,000-foot tower separation standard must also complete **Tower Permit Waiver Application – Page 2**.

WAIVER APPLICATION CERTIFICATION

I certify that all the information on this application is true and correct.

Signature of applicant or agent: Becky CaptPrint Name: Becky Capt - JM Hodges, Inc.

1. *a literal application of this article will result in undue and unnecessary hardship to the applicant, taking into account any federal or state licenses the applicant may have received to conduct its business because...; we have confirmation from the tower manufacturer that the tower will not fall on the adjacent residential property. We are asking for a waiver due to the fall zone on the adjacent residential property, but the fall zone certification confirms in the rare event the tower fails that it will collapse within the parent commercial tract. Therefore, a literal application of the fall zone should not apply.*
2. *the waiver, if granted, will not be contrary to the public interest as implemented in this article because...; the fall zone requirement should be waived due to the Fall zone certification letter from the tower manufacturer that the tower will not fall on the adjacent property.*
3. *consistent with the city's police power authority over towers, the waiver, if granted, will not be detrimental to the public health, safety, or welfare because...;the tower will not pose any risks to public and will in fact be beneficial to the public by improving the coverage and capacity for any emergency calls, first responders, visitors, and residents in the area and over a large portion of Lake Houston.*
4. *the waiver, if granted, will not result in a violation of any other applicable ordinance, regulation or statute enforceable by the city because...; all other requirements have been met and the waiver request for the fall zone has been addressed by the Fall Certification Letter provided as part of the application from the tower manufacturer.*
5. *the waiver, if granted, will not result in the violation of any applicable deed restriction or zoning regulation or the location of a tower in a park because There is no park in the vicinity or in the residential test area and is not in violation of any restrictions or regulations.*

September 12, 2023

Christopher Molloy
The Towers, LLC
750 Park of Commerce Drive, Suite 200
Boca Raton, Florida 33487



B+T Group
1717 S. Boulder, Suite 300
Tulsa, OK 74119
(918) 587-4630
btwo@btgrp.com

Subject:	Fall Certification Letter	
Arcosa Designation:	Arcosa Project Number:	A432
	Arcosa Site Name:	E Lake Houston Pkwy (US-TX-6195)
Engineering Firm Designation:	B+T Group Project Number:	168943.001.01.0001
Site Data:	E Lake Houston Pkwy (US-TX-6195) 220' Self Support Tower	

To Whom it May Concern:

As Requested by Arcosa Telecom Structures on behalf of The Towers, LLC, B+T Group is pleased to submit this "Fall Certification Letter" for the 220' Self Support Tower to be constructed at the **E Lake Houston Pkwy (US-TX-6195)** site.

This tower will be designed in accordance with the TIA 222-G standard for Harris County, TX. The tower will be designed to support antennas and transmission lines for three wireless carriers. The design criteria are more particularly described as follows:

Design Wind Speed: 133 mph 3-sec gust (no ice), 30mph 3-sec gust (0.5" ice)
Structure Class: II
Exposure Category: C
Topographic Category: 1

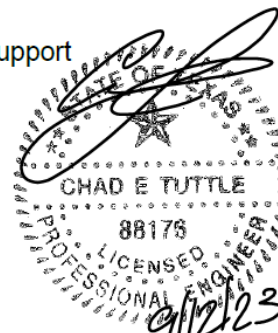
215'—Wireless Carrier 1 (CaAa= 42,000 sq in w/ (18) 1 5/8" transmission lines
204'—Wireless Carrier 2 (CaAa= 30,000 sq in w/ (12) 1 5/8" transmission lines
194'—Wireless Carrier 3 (CaAa= 30,000 sq in w/ (12) 1 5/8" transmission lines

It is our understanding that this Self Support Tower structure will be designed such that, if a failure were to occur due to a significant storm or other event, the tower would fall within a radius of 100' from the base of the structure with the top portion of the tower buckling over on the tower. Although the tower would not be designed to fail, stronger sections that required by analysis would be provided in the lower sections of the tower, resulting in an increased safety factor in the lower sections. In the highly unlikely event that this tower were to experience operational failure due to catastrophic wind loading, the design would enable the tower to fail through compression buckling. Failure in this manner would result in the upper portion of the tower buckling and folding over the lower portion, resulting in a fall radius of 100' from the base of the tower.

It should be understood that this opinion does not consider unpredictable extreme catastrophic events for which the structure is not designed. However, any damage to surrounding property caused by the tower failing during such an event would be relatively insignificant when compared to the damage caused to the surrounding property by the event itself.

Please contact us should you have any questions concerning the safety and design of the self support tower.

Fall Letter prepared by: Angela Ashwood
Respectfully submitted by B+T Engineering, Inc.
Chad Tuttle, P.E.



B&T Engineering, Inc.
F-9683

AGENDA ITEM: II - A

TOWER APPLICATION AND WAIVER REQUEST - STAFF REPORT

Location:	File No.	Zip	Lamb. No.	Key Map
-----------	----------	-----	-----------	---------

23705 2/3 Fairlake Lane	23-T-0761	77336	5968B	388R
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Applicant: Jody Kriloff

Application Date: 12/18/2023

Location: South of Atascocita Drive, north of page & east along Fairlake lane

Existing Use: Vacant

Proposed Use: 220' Lattice Tower

Proposed Tower Users: Vertical Bridges

Waivers Request: 28-524 (g): Fall zone, of the Code of Ordinances of the City of Houston, Texas.

Relevant Tower Ordinance Waiver Provisions:

28-524 (b): In a residential area, a tower permit shall not be approved for the construction or alteration of a tower structure.

28-524 (g): A tower permit shall not be approved for the construction or alteration of a tower structure unless the distance between the center of the base of a tower and the nearest residential lot is at least one and one-half times the height of the tower or tower structure.

28-524 (h): A tower permit shall not be approved for the construction or alteration of a tower structure within 1,000 feet of an approved tower structure, other than a tower structure for which a permit would not be required under this article. For purposes of this requirement, a tower is considered to be "approved" when a tower permit has been issued pursuant to this article and the tower structure has been constructed or any building permit issued thereunder remains in effect. The director shall promulgate rules and procedures for establishing precedent to the extent of conflict between two or more tower structures.

28-527 (a) The base of a tower, including all mechanical equipment and accessory structures, shall be screened from view of residential lots by a wooden, substantially opaque screening fence designed and built to provide privacy with a minimum height of eight feet.

STAFF COMMENTS:

Approval Criteria

Staff Findings

Tower is not prohibited by deed restrictions	The applicant has provided a deed restriction affidavit stating this tower proposal will not violate deed restrictions.
Tower is located in a residential area Residential test area is a 800' radius measured from the base of the tower. More than 50% of the tracts or parcels are used or restricted for residential purposes	Tower is not located in a residential area
Tower is not within a scenic area, in a park or on a tract of land surrounded by a park	The tower is not within a scenic area, park or in a tract of land surrounded by a park as defined by the ordinance.
Tower must setback 1-1/2 times the height of the tower from a residential lot.	Nearest residential tract allowed by the ordinance is 330'. The nearest residential structure is approximately 234' from the proposed tower.
Must not be within 1,000' of an approved tower structure	There is not an approved tower structure within 1000'

Letter of opposition



TEXAS HOUSE *of* REPRESENTATIVES

Charles Cunningham

House District 127

February 7, 2024

City of Houston – Tower Commission
Planning & Development Department
611 Walker Street, 6th Floor
Houston, TX 77002



Dear Commissioner Todd, Chair:

I have recently been made aware of a proposed construction of a communications tower in my district. The site location is 23705 Fairlake Lane, Huffman, TX 77336, and the tower application is #23-T-0761.

I am writing to you today to voice my opposition to that proposed communications tower and the tower permit waiver application. I have many worries, along with my constituents that have reached out to me, including the height of the proposed tower, public safety concerns, and general blight.

The City of Houston owns land across the street from the proposed location, and vacant land exists up and down the street that is away from my constituents that would be impacted by the communications tower. I would urge you, the Tower Commission, the tower applicant, and the tower owner to reconsider the proposed site location during your next meeting scheduled for February 26, 2024.

If you have any questions, you may reach me at charles.cunningham@house.texas.gov. Thank you for your consideration on this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles Cunningham", with a large, stylized flourish at the end.

Charles Cunningham
State Representative
House District 127

cc: Commissioner Bobby De La Rosa
Commissioner Yulanda Campbell
Commissioner Kerrick Henny
Commissioner John Melcher
Commissioner Linda Smith
Commissioner Asim Tufail
Secretary Margaret Wallace Brown



February 26, 2024

Rob Todd, Chair
City of Houston Tower Commission
611 Walker Street, 6th Floor
Houston, Texas 77002

Chairman Todd,

I am writing today to voice my strong opposition to the waiver request for a communications tower the Tower Commission will consider at today's hearing (23-T-0761 at 23705 2/3 Fairlake Lane). This was brought to my attention by several residents who live near the intersection of Fairlake Lane and Page Lane who are concerned how the tower will impact safety, property values, and wildlife. The idea of allowing a waiver for a tower to be built 148' away from a residence which undercuts the required distance of 330' by over half is irresponsible. The tower itself will be 220' which in case of an unprecedented weather event such as Hurricane Harvey or Tropical Storm Imelda the tower could easily damage nearby residences. We learned the hard way from those events and others that even the best engineered plans don't always behave as they should. Furthermore, the tower itself would pose a threat to the bald-eagle population that resides around Lake Houston which even have nests in that immediate area.

I respectfully request the Houston Tower Commission to oppose the waiver for this tower.

Should you have any questions, please contact my office.

Sincerely,

Fred Flickinger
Council Member District E

cc: Jennifer Ostlind, Interim Director of Houston Planning

Tower Application #23-T-0761 located at 23705 Fairlake Lane Huffman Texas 77336

To: City Of Houston

From: Raymond Peters Resident @ 209 Page Ln

Date: February 13, 2024

Subject: Oppose the Waiver to build

To whom it may concern, I oppose to the tower being built in the said location. My concerns are for safety and devaluating my property.

There is allot of vacant land nearby that could be far enough away for everyone's safety.

Raymond Peters

209 Page Ln

Huffman Texas 77336

Vol. 1A
 Page 112
 Map Records.

The State of Texas,
 County of Williamson. Before me, the undersigned authority, in and for Williamson County, Texas, on this day personally appeared E. A. Strickland, Atty. in fact for O. A. Trott, and his wife, Mrs. Dora Trott, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein expressed, this 9 day of March, A. D. 1905.

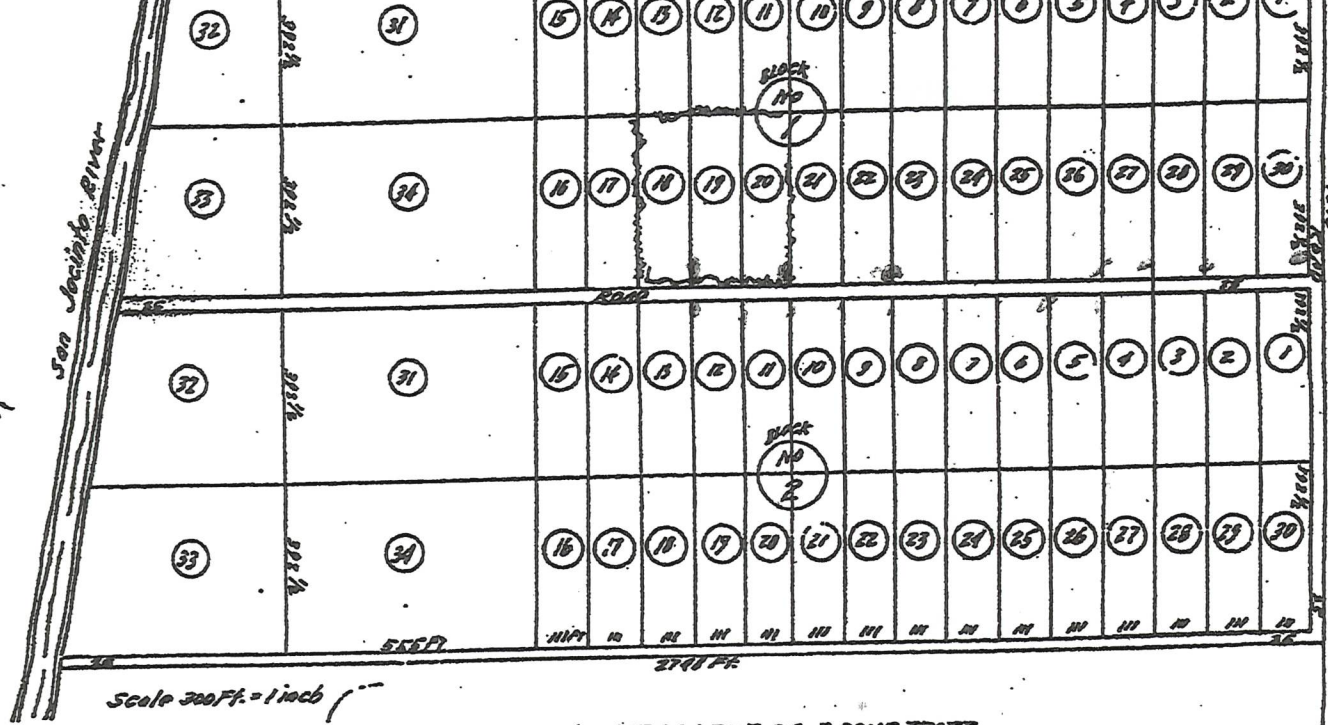
Walter Rountree, Not. Pub. Wmson Co. Texas.

Filed for record at 11:10 o'clock A.M. Mar. 16, 1905,
 Recorded at 10:45 o'clock P.M. April 1st, 1905.

Geo. Jones Co. Clerk, Harris Co., Texas.

By H. L. Washburn, Deputy.

File No. 3494.



E.A. STRICKLAND, ATT. IN FACT G.A. DAME TROTT.

0761. I am strongly opposed this tower being built. I have addressed my responses below:

1. The COH has ordinances for a reason to protect the public interest! Granting this waiver is **NOT** protecting the public interest for the properties in the fall zone!
2. We have 7 Residential properties within the Fall Zone of the 330 Ft Radius.
3. This Tower **"WILL FALL"** on adjacent residential properties within the **FALL ZONE!** Therefore, Sec 28-54G Should apply.
4. The waiver should not be granted because it is **NOT** in the best interest of the public.
5. The waiver should not be granted because it will be detrimental to the public safety and welfare and diminish property values. The area has plenty of towers in the area and the Cell Coverage is adequate for emergency calls, first responders, visitors and all the residents in the Lake Houston Area.
6. The waiver should not be granted because it will violate the applicable Ordinance Article XV1. SEC 28-524G put in place for a reason.
7. The waiver should **NOT** be granted because there is PARK in the vicinity in the residential Test Area and is a VIOLATION of the Restrictions and Regulations. Lake Houston "IS A PARK" and it is in the Test Area!

Sincerely,

R. Ross



1. The city has ordinances for a reason. They are to protect the community. Granting this waiver damages our home and our community.
2. Our home is directly in the fall zone of the 330 ft radius. Our structure is 122 ft from the tower.
3. Research finds, cell towers, 5G, high powered powerlines and electric substations near homes can drop property values up to 20%. Increasing numbers of people don't want to live near cell towers. In some areas with new towers, property values have decreased by 20% - National Business Post: 2022
4. A study published in the Journal of Real Estate Finance and Economics found that for properties located within 2362 ft of the closest cell tower, property values declined 2.46% on average, and up to 9.78% for homes within tower visibility range. This tower is in my front yard.
5. HUD requires its certified appraisers to take the presence of nearby cell towers into consideration when determining the value of a single family residential property. HUD guidelines categorize cell towers with "hazards and nuisances." HUD prohibits FHA underwriting of mortgages for homes within the fall zone of a cell tower.
6. This will cause difficulty in ever selling the home because 95% of loans are FHA and we would not be able to do a reverse mortgage because they are governed by HUD guidelines.
7. There is alternative location within a 3 block radius that are not in the fall zone of a subdivision.

Best Regards,



Janet Ross

Janet Ross

We Oppose The Tower Application and Waiver and Disagree with Staff Recommendations.

We are the property owners of Lt3 Blk 1 Meyer GA, 23727 Wilkins Lane Huffman

This is a Residential Subdivision. We purchased this property for a Residential Investment Not a Cell Tower in our Subdivision.

This Subdivision was Plotted in 1905 Called The GA Trott Subdivision on a 100 acer track with 2 blocks of 34 lots in each Block. Then Lots in question were Replotted into The MC Meyers Subdivision. So The Restrictions are for Residential Property NOT Commercial Property. **(See Docs Attached)**

The COH Has Ordinances for a Reason to Protect The Public Interest! This Waiver is NOT Protecting The Public Interest of the Properties in the Fall Zone!

We have 11 Residential Properties within the Fall Zone of the 330 Foot Radius. We have the Closest is 122 Ft from the tower.

This Tower "WILL FALL" on Adjacent Residential Properties within THE FALL ZONE! Therefore, Sec 28-524G Should Apply.

The Waiver should not be Granted because it's NOT in the Best Interest of the Public.

The Waiver should not be Granted because it will be Detrimental to the public safety and welfare and Property Values. The area has plenty of towers in the area and the Cell Coverage is adequate for Emergency calls, first responders, visitors and all the residents in the Lake Houston Area.

The Waiver should not be Granted because it will violate the applicable Ordinance Article XV1. Sec 28-524G Put in place for a Reason.

The Waiver Should NOT BE Granted Because there is a PARK in the Vicinity in the Residential Test Area and is a VIOLATION of the Restrictions and Regulations. Lake Houston "IS A PARK" and it is in the Test Area!

HUD requires its certified appraisers to take the presence of nearby cell towers into consideration when determining the value of a single family residential property. HUD guidelines categorize cell towers with **"hazards and nuisances."** HUD prohibits FHA **underwriting** of mortgages for homes that are within the engineered fall zone of a cell tower. **We have 11 Residential Properties within the Fall Zone of the 330 Foot Radius.**

Now the environmental impact on the site. The site is within the park / Lake Houston water shed. The proposed plans are a Generator with Oil / Gas! Any plans to keep the chemicals Contained if Spilled?

They Need to move this Cell Tower across the street to the east side of Fairlake Rd. Keep it out of our Residential Subdivision. This will destroy our Home Values and our Peace.

Texas Adaptive Aquatics, Inc.

23727 Wilkins Lane

Huffman, Texas 77336



Roger Randall

President

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The State of Texas, County of Williamson. Before me, the undersigned authority, in and for Williamson County, Texas, on this day personally appeared E. A. Strickland, Atty., in fact for O. A. Trott, and his wife, Mrs. Donie Trott, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein expressed, this 9 day of March, A. D. 1905.

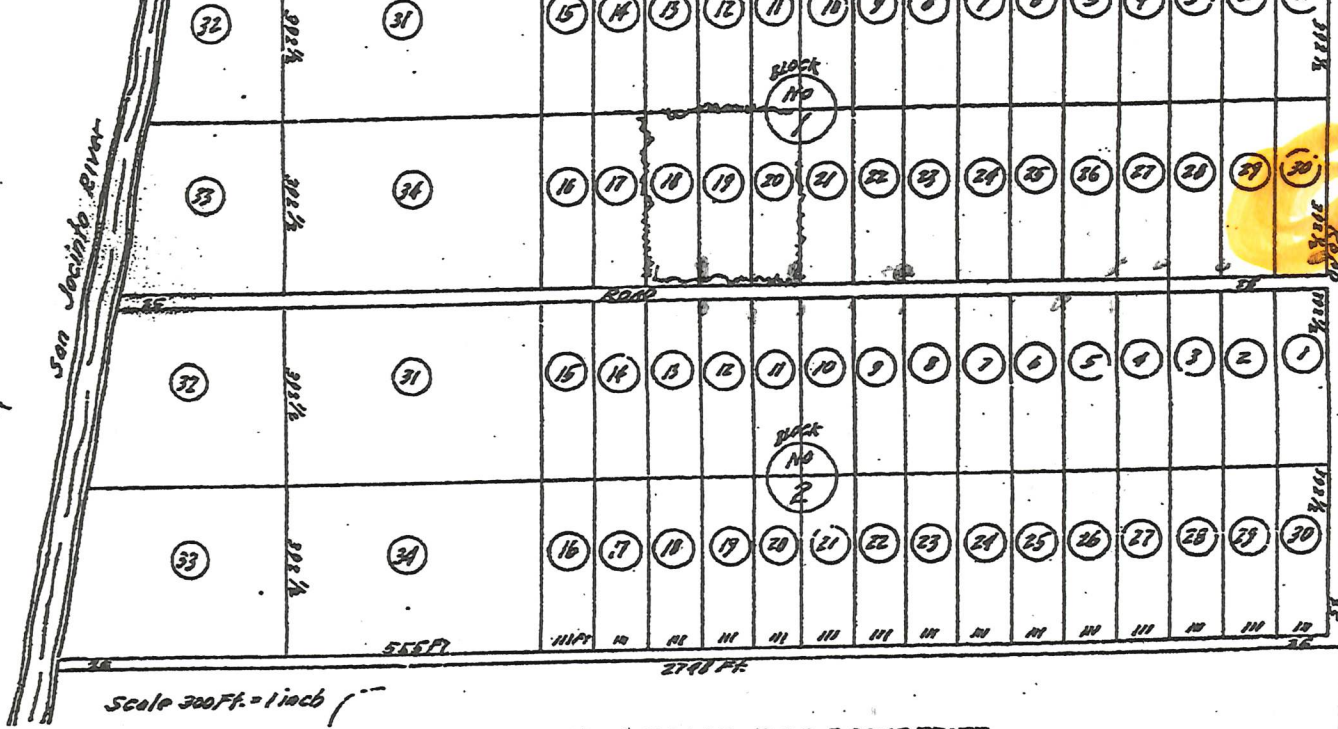
Walter Rountree, Not. Pub. Nacogdoches Co. Texas.

Filed for record at 11:10 o'clock A.M. Mar. 16, 1905,
 Recorded at 10:45 o'clock P.M. April 1st, 1905.

Geo. Jones Co. Clerk, Harris Co., Texas.

By H. L. Washburn, Deputy.

File No. 3494.



EA. STRICKLAND, ATT. IN FACT G.A. & DONIE TROTT.

CELL TOWER

We Oppose The Tower Application and Waiver and Disagree with Staff Recommendations.

We are the property owners of Lt4 BLK 1 Meyer GA Wilkins Lane Huffman

This is a Residential Subdivision. We purchased this property for a Residential Investment Not a Cell Tower in our Subdivision.

This Subdivision was Plotted in 1905 Called The GA Trott Subdivision on a 100 acer track with 2 blocks of 34 lots in each Block. Then Lots in question were Replotted into The MC Meyers Subdivision. So The Restrictions are for Residential Property NOT Commercial Property. **(See Docs Attached)**

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Now the environmental impact on the site. The site is within the park / Lake Houston water shed. The proposed plans are a Generator with Oil / Gas! Any plans to keep the chemicals Contained if Spilled?

They Need to move this Cell Tower across the street to the east side of Fairlake Rd. Keep it out of our Residential Subdivision. This will destroy our Home Values and our Peace.

Al Welch

29 30th Street

Gulfport MS 39507

A handwritten signature in blue ink, appearing to be 'Al Welch', written over the printed address.

Lt4 BLK 1 on Wilkins Lane Huffman Texas

We Oppose The Tower Application and Waiver and Disagree with Staff Recommendations.

We are the property owners of 321 Page Lane Huffman

This is a Residential Subdivision. We purchased this property for a Residential Investment Not a Cell Tower in our Subdivision.

This Subdivision was Plotted in 1905 Called The GA Trott Subdivision on a 100 acer track with 2 blocks of 34 lots in each Block. Then Lots in question were Replotted into The MC Meyers Subdivision. So The Restrictions are for Residential Property NOT Commercial Property. **(See Docs Attached)**

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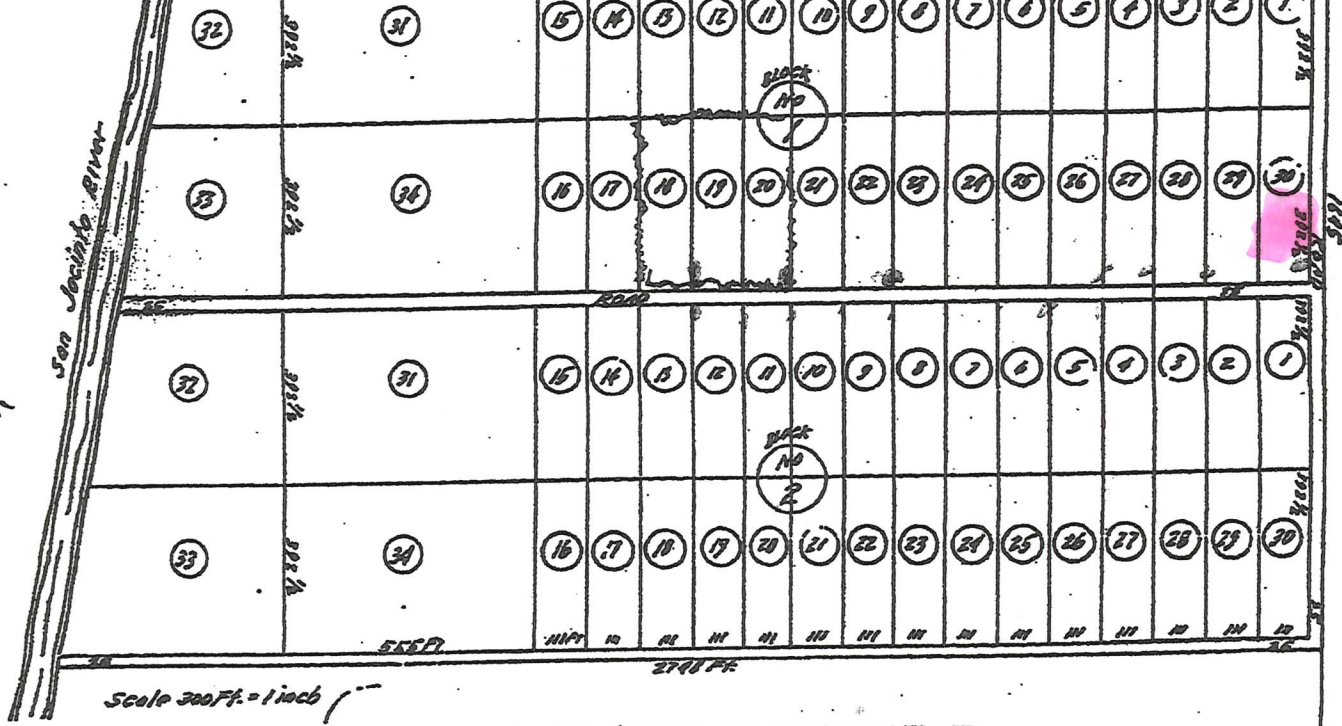
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Sary & Saran Mao

A handwritten signature in blue ink, appearing to read "Sary & Saran Mao". The signature is stylized and cursive.

321 Page Lane & Wilkins Lane Huffman Texas

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E.A. STRICKLAND, ATTY. IN FACT G.A. & DANE TROTT.

The State of Texas,
 County of Williamson. | Before me, the undersigned authority, in and for Williamson County, Texas, on this day personally appeared E. A. Strickland, Atty., in fact for O. A. Trott, and his wife, Mrs. Donis Trott, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein expressed, this 9 day of March, A. D. 1905.

Walter Rountree, Not. Pub. Wmcon Co. Texas.

Filed for record at 11:10 o'clock A.M. Mar. 16, 1905.
 Recorded at 10:45 o'clock P.M. April 1st, 1905.

Geo. Jones Co. Clerk, Harris Co., Texas.

By H. L. Tashburn, Deputy.

File No. 3494.

Houston, Texas 77002

Subject: Tower Application # 23-0761 23705 Fairlake lane Huffman

My Property is with in the Fall Zone! At 219 Page Lane Huffman.

I oppose the tower being built in our Subdivision.

What is even the point of this dog and pony show? If you look at the record of this commission, you always go with the cell tower companies.

This Subdivision was Plotted in 1905 Called The GA Trott Subdivision on a 100 acer track with 2 blocks of 34 lots in each Block. Then Lots in question were Replotted into The MC Meyers Subdivision. So The Restrictions are for Residential Property NOT Commercial Property. **(See Docs Attached)**

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Richard A. Davison

219 Page Lane

Huffman, Texas 77336

